

COOPERATIVE CONSERVATION LISTENING SESSION

TRANSCRIPT OF THE PROCEEDINGS

Heard in the Auditorium, Montana Department of
Public Health and Human Services
111 North Sanders
Helena, Montana

August 14, 2006
1:00 p.m.

REPORTED BY: CHERYL ROMSA
CHERYL ROMSA COURT REPORTING
P. O. BOX 1278
HELENA, MONTANA 59624
(406) 449-6380

I N D E X

	PAGE
Meeting Opened and Introductions.....	4
Merlyn Carlson.....	8
Robert E. Roberts.....	14

COMMENTS:

1. Tina Bernd-Cohen.....	19
2. John Wilson.....	26
3. Derek Goldman.....	28
4. Phil Knight.....	30
5. Leah Elwell.....	32
6. Alan Rollo.....	34
7. Adam Rissien.....	34
8. Rich Bechtel.....	36
9. Julia Altemus.....	38
10. Ellen Engstedt.....	40
11. Joel Webster.....	42
12. Carl Mattson.....	43
13. Stan Frasier.....	45
14. Mo Essen.....	46
15. John Youngberg.....	47
16. Rick Deniger.....	50
17. Kim Liles.....	52
18. Jeri Vistein.....	55
19. Hugo Tureck.....	57
20. Don Allen.....	58
21. Glenn Phillips.....	60
22. Robert Ray.....	62
23. Rich Moy.....	63
24. Tom Schultz.....	66
25. Jim Peterson.....	68
26. Jay Bodner.....	71
28. Vicki Marquis.....	73
29. Al Littler.....	76
30. Janet Barwick.....	77
31. Lawrence McEvoy.....	79
32. Joe Icenogle.....	81
33. Willis Yarberry.....	83
34. Eugene Graf.....	85
35. Byron Roberts.....	86
36. Shawn Cote.....	88
37. Tom Partin.....	89
38. Janet Clark.....	91
39. Bob Beckley.....	94

I N D E X (CONT.)

PAGE

COMMENTS:

40. Clarice Ryan.....	96
41. Jono McKinney.....	98
42. Sarah Carlson.....	101
43. Carey White.....	103
44. Doug Abelin.....	106
45. Stacy Bragg.....	107
46. Jim Kraft.....	109
47. Debbie Zarnt.....	111
48. Kathryn Hohmann.....	111
49. Darryl Olson.....	114
50. Lowell Whitney.....	117
Merlyn Carlson.....	119
Robert E. Roberts.....	120

1 WHEREUPON, the following proceedings were had:

2 MR. MARSHALL: Welcome. Can everyone hear me
3 okay?

4 Thank you for coming to the first -- or the second of
5 25 cooperative conservation listening sessions that will
6 be taking place around the country. My name is
7 Jon Marshall, and I'm the moderator for this session. I'm
8 joined here today by Robbie Roberts, of the Environmental
9 Protection Agency, Region 8 Administrator, and
10 Merlyn Carlson, U.S. Department of Agriculture Deputy
11 Undersecretary.

12 And to get things rolling here this afternoon, I'm
13 proud to introduce Troop No. 218 of the Boy Scouts of
14 America to present the colors and Pledge of Allegiance.
15 Gentlemen.

16 (The colors were presented and the Pledge of
17 Allegiance was given.)

18 MR. MARSHALL: Thank you, gentlemen.
19 Boy Scouts of America, Troop 218, has been sponsored
20 by the Helena Civitan Club. Troop 218 has recently been
21 involved in conservation projects that include noxious
22 weed eradication and trail construction at the K-M Scout
23 Ranch in Lewistown, Montana. One of Troop 218's scouts is
24 a member of the Montana Youth Conservation Corps that is
25 involved in a variety of conservation projects throughout

1 the state. Scouts present today for the opening
2 ceremonies are David Parry, Raleigh Nordhagen, and
3 Zack Trewett. Their scout master is Tom Mazanec.
4 Thank you, gentlemen.
5 Okay. I'd like to start off this afternoon by giving
6 you a quick preview of the agenda and the process that
7 we're going to follow. First of all, I'm going to make
8 some introductions. We'll have some opening comments and
9 very brief presentations by the people here at the front
10 table and members of the Blackfoot Challenge. We will
11 then move right into the reason we're gathered here today,
12 which is to hear from you, to listen to your comments and
13 hear what you have to say about cooperative conservation.
14 The process we're going to follow is simple, and it's
15 designed to hear from as many people as possible and to be
16 as fair as possible. As you came in this afternoon, you
17 should have received an index card, and on that index card
18 is a number. We'll be going in the order of those numbers
19 as you came in. I would ask you, when you make comment,
20 to come up to the microphone. We'll have a microphone
21 right up here (indicating), held by Sharon. And we ask
22 you to state your name, spell your name so our recorder,
23 Cheryl Romsa, can make sure she has that accurately in the
24 public record.
25 If you're not comfortable speaking today, but you have

1 additional comments, thoughts, things that you would like
2 to comment on later, please feel free to send information
3 either through mail or e-mail or submission through the
4 website that's found on the back of that card. And please
5 keep in mind that all forms of input are essentially
6 weighted the same, so if you send in a public comment,
7 it's not going to be considered differently than the
8 public session.

9 We ask that you limit -- limit your comments to about
10 two minutes. We don't have a huge crowd here, so we may
11 be able to squeeze out an extra 30 seconds here and there,
12 but we're going to hold pretty tight to short comments as
13 we proceed through. What I'll do is show you a card at
14 about two minutes, thirty seconds, and give you about
15 three minutes as we move through. If we have a whole lot
16 of people commenting and we get toward the end of the day,
17 we might need to lessen that time to about two minutes.

18 My responsibility as moderator here today is two-fold.
19 First is to keep everything moving along, so I apologize
20 in advance if I have to cut you off, even if you're making
21 some very thoughtful comments. Second is to keep us all
22 on topic and to keep things civil. This doesn't look like
23 a particularly unruly crowd, so we should be okay there.
24 But we're asking that you limit your comments to topics on
25 cooperative conservation. And, of course, if someone

1 becomes abusive or out of line, I reserve the right to
2 stop comments. And in the interest of time, the gentlemen
3 up front here are listening. That's what they're here to
4 do, is to listen to what you have to say. They won't be
5 taking questions during the public comment period,
6 although I'm sure they'll be around afterwards if there
7 are any particular questions you would like to pose to
8 them.

9 Before we get into the program, I'd like to
10 acknowledge a few folks that are here with us today, and
11 I'll ask these folks to just stand up briefly so you can
12 recognize them. Mitch King, right in the back there, with
13 U.S. Fish and Wildlife Service; he's the regional director
14 for this area. Jon Reedy, back in the doorway there, the
15 special assistant to the undersecretary of the USDA.
16 Mindy Gauthier, right up front here, is the district
17 conservationist for Lewis and Clark County. Dennis Loreth
18 is assistant state conservationist for field operations
19 here in Montana. Sharon Rose will be in charge of holding
20 the microphone; in addition to that, she is the assistant
21 regional director for U.S. Fish and Wildlife Service. And
22 Mark Wilson is the U.S. Fish and Wildlife Service field
23 supervisor for this area.

24 I'll introduce our first speaker, Mr. Merlyn Carlson.
25 Mr. Carlson was appointed deputy undersecretary to USDA's

1 Natural Resources and Environment in June 2005. His main
2 responsibility is overseeing the Natural Resources
3 Conservation Service. Prior to Carlson's USDA
4 appointment, he was appointed as director of agriculture
5 for Nebraska in January 1999 by then Governor and now
6 Secretary Mike Johanns. Until recently, Mr. Carlson
7 operated a cow, calf, yearling, and feedlot operation near
8 Lodgepole in western Nebraska, where he also raised corn,
9 wheat, and alfalfa on dry land and irrigated farm ground.
10 Mr. Carlson is a native Nebraskan who grew up in the area.
11 He attended the University of Nebraska Lincoln and later
12 graduated from Colorado State with a bachelor's in
13 agriculture, majoring in animal science.

14 Mr. Carlson.

15 MR. CARLSON: Jon, thank you very, very much. I
16 appreciate the introduction.

17 And let me begin off by saying thanks to all of you
18 for taking time to be with us today, because I'm here to
19 listen and looking forward to listen, along with
20 Mr. Roberts, who you'll be hearing from shortly. And I
21 want to say thank you to the Boy Scout Troop 218, too, for
22 your being here. That was great of you.

23 I had the opportunity this morning to see some of your
24 scenery and your pristine scenery here out of Wolf Creek
25 Canyon and the Prickly Pear River, and I even got to open

1 a gate, so I really felt good for getting the opportunity
2 to open a gate once more or again or however you say it.
3 It was a good feeling. So thank you, Dennis, for allowing
4 me to do that. I'm looking forward, as I said, to hearing
5 and listening, taking the word back to our people from
6 this day.

7 Let me share with you some remarks that I would like
8 to share with you. This listening session that we're
9 attending today is a continuation of an initiative that
10 embodies the vision, President Bush's vision for
11 conservation and for environmental stewardship, and it's
12 called cooperative conservation. That's what we're going
13 to be talking about today. And before talking about where
14 we are today, I'd like to talk a bit about the history of
15 cooperative conservation.

16 On August 31, 1910, way back there, while President
17 Theodore Roosevelt was in Kansas, he said, "The object of
18 government is the welfare of the people. Conservation
19 means development as much as it does protection. I
20 recognize and support the right and duty of this
21 generation to develop and use the natural resources of our
22 land, and I do not recognize the right to waste them or to
23 rob, by wasteful uses, the generations that come after
24 us."

25 Roosevelt knew a thing or two about the importance of

1 environmental stewardship and natural resource
2 conservation. He knew that while defending a nation and
3 ensuring the immediate well-being of the American people,
4 it was also necessary to ensure and protect conservation
5 of our resources for future generations. In 1908,
6 Roosevelt convened the first governors' conference on
7 conservation. Through these and other efforts,
8 President Roosevelt captured the essence of an expanding
9 conservation movement in America. And the legacy of that
10 movement includes the U.S. Forest Service, the Natural
11 Resources Conservation Service, which I chair and I
12 oversee, our national park system and dozens of other
13 national monuments, and several other important pieces of
14 federal environmental legislation. The legacy has
15 commanded broad support and has contributed greatly to the
16 environmental progress here that we know in America.

17 As we find ourselves at the dawn of a new century, we
18 are tasked with developing a new environmental vision that
19 resonates with many stakeholders, with federal, state,
20 local, tribal government, with nonprofit organizations,
21 with landowners, and with business.

22 Like Roosevelt, President Bush believes that
23 environmental stewardship and natural resources
24 conservation are an essential component to the fulfilling
25 of far-sighted commitment to the well-being of future

1 generations. A landowner and a dedicated conservationist
2 himself, President Bush also understands that local
3 landowners have the best knowledge of how to conserve and
4 protect our resources. As a result, the President has
5 worked to ensure that local people have a say in the
6 decisions that we make in Washington that impact their
7 lives and the resources they manage, and that's what we're
8 doing here today.

9 So in keeping with that philosophy, the President
10 signed an executive order entitled, "Facilitation of
11 Cooperative Conservation," in August of 2004. The order
12 directs five federal agencies, including Agriculture,
13 Commerce, the Interior, EPA, the Department of Defense, to
14 implement laws relating to the environment and natural
15 resources in a manner that promotes cooperative
16 conservation with the emphasis on local leadership. And
17 to formulize that order, the President called for a
18 White House Conference on Cooperative Conservation, which
19 was held in St. Louis last summer, and many of you
20 probably attended. And during that historic conference,
21 the nation's leadership in conservation and environmental
22 stewardship generated a wealth of suggestions and ideas
23 for implementing the principles set forth in the
24 cooperative conservation executive order. And I can
25 assure you that many of those ideas are being implemented

1 across the federal government today.

2 That's why we're here, to continue the dialogue that
3 was begun there in St. Louis. We'd like to hear your
4 ideas on five points that you read, that we focus on, how
5 can we conserve better, how can we do a better job serving
6 you and all the natural resources. The first of those
7 focus points, ways to enhance cooperation with tribes and
8 local communities and private landowners and other
9 partners, understand the use of the variety of the federal
10 environment and conservation programs. And that's what we
11 want to hear. No. 2 is ways to enhance and coordinate
12 with local federal agencies, resource managers, and local
13 landowners and stakeholders to achieve results; in other
14 words, work better together. And then we want to know,
15 how can we enhance wildlife habitat, species protection in
16 a voluntary way. And we want to know about ways to
17 improve science and technology and decision-making of
18 such, and how can we better, you know, resolve conflicts
19 and barriers that exist in federal laws as we respect the
20 interests of landowners and land operators.

21 So I want to compliment you all here. You're leaders
22 in your communities, you've done a fine job of
23 implementing environmental and conservation efforts in
24 your communities. You have done well in this beautiful
25 and pristine landscape that I talked about this morning.

1 You're an example of living many of the principles in the
2 cooperative conservation. You are showing the rest of the
3 world that conservation and environmental stewardship
4 should not exist in a vacuum, but should be and can be
5 developed in conjunction with other values important to
6 our society. You are playing lead roles identifying the
7 most efficient and productive ways to maximize
8 environmental benefit while partnering with the
9 innovators, with landowners, with entrepreneurs on the
10 ground.

11 And so finally and in summary, on behalf of
12 President Bush and Agriculture Secretary Mike Johanns,
13 thanks for sharing this day with us. Again, thanks for
14 being here. We're looking forward to hearing your
15 thoughts. Thank you very much.

16 MR. MARSHALL: Thank you, Mr. Carlson.

17 Before we move on, if we could -- we've got some folks
18 coming in. If you wouldn't mind, if you have some seats
19 in the middle of the row, if you would scootch in a little
20 bit. That way, folks that are standing in the back
21 showing up a little bit late can squeeze in here. Thank
22 you.

23 I'm pleased to introduce Mr. Robert E. Roberts.
24 Robbie Roberts is the Region 8 administrator for the
25 United States Environmental Protection Agency, with

1 responsibility for most EPA activities in Colorado,
2 Montana, North Dakota, South Dakota, Utah, and Wyoming.
3 From 1995 to 2002, he was the first full-time executive
4 director of the Environmental Council of States, the
5 national nonpartisan, nonprofit association of state and
6 territorial environmental commissioners. He served as
7 secretary of the South Dakota Department of Environmental
8 and Natural Resources from 1990 to 1995 and led successful
9 campaigns for the first-ever permanent funding source for
10 water projects and for the most comprehensive
11 environmental protection act in South Dakota history.

12 Mr. Roberts' last assignment in a 23-year Air Force
13 career was as commander of the 812th Combat Support Group
14 at Ellsworth Air Force Base, South Dakota; at that time,
15 the largest operational base in the Strategic Air Command.
16 He is an honors graduate in history from the University of
17 Alabama, has a master's of public administration from
18 Auburn University, and is a distinguished graduate of the
19 Air Command and Staff College.

20 Mr. Roberts.

21 MR. ROBERTS: Thank you very much.

22 Ladies and gentlemen, let me add my thanks to you for
23 attending this afternoon and being with us in this
24 meeting. I'm looking forward to all of the things that I
25 hope we are going to hear about projects that are working,

1 and we may be hear about projects that are not working,

2 and that's valuable information, too.

3 One of the things that I say when I'm talking about my

4 region is that it is the second largest EPA region. The

5 largest one, of course, is the one that has Alaska in it.

6 Some of my friends back on the East Coast -- now, this

7 doesn't include Merlyn, because he's really a Nebraska

8 guy, but some of the folks back on the East Coast don't

9 have grasp for size the way that Montanans would do, and

10 so what I tell them is, if you take my region and if you

11 put the upper left-hand corner in Sioux Falls,

12 South Dakota, the upper right-hand corner is in

13 Pittsburgh, the lower right-hand corner is in Pensacola,

14 and the lower left-hand corner is in Dallas, Texas. So it

15 is a large area that we work, those states and those

16 Indian tribes. And in that area, there are a large number

17 of the kinds of projects that we're talking about today.

18 Cooperative conservation is, in one sense, a new idea.

19 It's a new idea because of the executive order that Merlyn

20 talked to you about and because of the conference that was

21 in St. Louis a year or so ago. It focused our attention,

22 again, on this way of accomplishing environmental

23 projects, community projects. In another sense, it's not

24 a new idea at all. Cooperative conservation is simply

25 communities applying common sense to common problems and

1 finding ways to work together to make things better for
2 everybody.

3 For example, the Flathead Basin Commission, do we have
4 anybody here today from that organization? And you're
5 going to speak?

6 UNIDENTIFIED SPEAKER: Yes.

7 MR. ROBERTS: Then I will skip what I was going
8 to say, and I will say you need to listen when they talk,
9 because they have a record of success.

10 I hope you are pro Flathead Basin Commission.

11 They have a record of success. Listen to him, he'll
12 tell you about it.

13 How about the Grassroots Conservation Program in the
14 Blackfoot River Watershed; is anybody here from that group
15 today and going to talk?

16 Well, then, there goes another big chunk of my speech
17 out the window. We are making great progress here.

18 How about the Sun River Watershed Group? And you're
19 going to talk?

20 Okay. That's pretty much what I came to say. Let me
21 talk about one other thing that we're working on at EPA
22 that is an opportunity for a cooperative conservation way
23 of solving problems. At the meeting in St. Louis, where
24 we started this whole thing, my boss, the administrator of
25 EPA, announced the Good Samaritan Project. And I want to

1 make a pitch to you about the Good Samaritan Project.

2 The Center for the American West at Colorado

3 University estimates that there are 500,000 leaking and

4 abandoned mines left in the United States, primarily in

5 the West. 500,000 abandoned mines, many of them leaking

6 into adjacent water bodies. In many instances, there is a

7 group or an organization that would like to fix the

8 problem, and sometimes the problem is, in fact, very

9 fixable and it could be dealt with by the local community.

10 But there is a legal catch. Anybody who sets out to clean

11 up such a mine runs the risk that they may wind up finding

12 themselves legally responsible for all the damage that the

13 leaking mine has ever done or ever will do, irrespective

14 of the fact that their intention was to clean up the site

15 and irrespective of the fact that they are not responsible

16 for any of the contamination. Because the way the current

17 law works, everyone who has ever been involved at that

18 site bears responsibility for all of that site. And so,

19 as most of these abandoned sites belonged to companies

20 long ago that do not exist, or of companies that exist but

21 are bankrupt, such an assumption of liability is totally

22 out of possibility for the usually nonprofit groups that

23 would like to do something about the site.

24 Now, my region has been a leader in this area, and we

25 have, working with Trout Unlimited, found an

1 administrative way to provide a certain amount of legal
2 protection to Trout Unlimited on a specific site owned by
3 a private landowner, allowing Trout Unlimited to come onto
4 that site, do the work that needed to be done to protect a
5 section of river where there were trout that the
6 organization wanted to protect. But you are limited in
7 how far you can go administratively. What would help more
8 on these kind of sites -- I mean, EPA can do big sites,
9 and we're doing a lot of big sites in Montana. But the
10 smaller sites are not being done, and cumulatively, they
11 are serious problems, and in individuals areas, they're
12 serious problems. What would be more helpful in the
13 smaller mine cleanup projects would be a statutory change
14 to shield the good samaritan who wants to make a polluted
15 area cleaner.

16 The administration's proposed legislation,
17 Good Samaritan Clean Watershed Act, will address the legal
18 barriers that face the good samaritans. Now, there's
19 several bills that have been introduced; and this is not a
20 pitch for bills, this is a pitch for concept, which is, we
21 ought to take advantage of the possibility of using these
22 local groups to do this. We have an opportunity to enact
23 a cooperative conservation approach to hundreds of
24 thousands of sites in the West, and I hope that the
25 Congress will be able to find its way through to passage

1 of one of these bills.

2 Today, as Merlyn says, we came here to hear from you.

3 I particularly hope to hear about projects that you have

4 accomplished or those that you haven't. I hope to hear

5 that federal agencies are working together, or maybe you

6 want to say federal agencies are not working together,

7 because we're looking for new ways to do that. We are, in

8 my agency, very interested in how to work with Ag and Fish

9 and Wildlife and all of the other people who get involved

10 in land management issues and those things that impact the

11 air and water, and I hope to take home from this meeting

12 today some excellent ideas from the people who know best

13 what needs to be done in their community, and that's you.

14 Thank you very much for attending today.

15 MR. MARSHALL: Thank you, Mr. Roberts.

16 We'll see if Mr. Roberts had an electric personality

17 that was causing the interference here or if it's the

18 microphone. We'll get that switched out if we continue to

19 have any problems here.

20 At the invitation of Mr. Roberts and Mr. Carlson, I

21 would like to introduce Tina Bernd-Cohen, the executive

22 director of Blackfoot Challenge, for a few brief comments.

23 MS. BERND-COHEN: Thank you very much.

24 The Blackfoot Challenge is a locally led watershed

25 group in western Montana. The mission of the challenge is

1 to coordinate efforts to protect the natural resources and
2 rural lifestyle of the Blackfoot River Valley. All of the
3 key landowner and stakeholder interests sit on the board,
4 including the federal agencies, U.S. Forest Service,
5 Bureau of Land Management, U.S. Fish and Wildlife Service,
6 the two state agencies that own and manage land,
7 Fish, Wildlife and Parks, DNRC, and private landowners.
8 In addition, many of you are here today. We have over
9 160 partners who help us achieve our mission. Thank you
10 all. You know who you are, and thank you for helping us
11 out in our cooperative conservation efforts.

12 We had the opportunity to speak at the White House
13 Conference in St. Louis, and thank you for the opportunity
14 today to share our thoughts with you. Rather than
15 extolling our -- all the good things we do, I'd like to
16 just share three core recommendations that we have that we
17 think can improve cooperative conservation. The first is
18 to remove the administrative and legislative barriers that
19 keep federal agencies from participating in these
20 community-based cooperative conservation partnerships,
21 like the Blackfoot Challenge.

22 The second is to continue to fund at adequate levels
23 all the variety of existing programs on cooperative
24 conservation that we now have in place, for example, the
25 Clean Water Act and the 319 TMDL Water Quality Restoration

1 Program; adequate funding for planning, for restoration,
2 and for monitoring. Likewise, adequate funding under the
3 NRCS Farm Bill for programs tied to conservation and
4 restoration, such as EQIP and CIG. Particularly, there's
5 a new initiative. We have the special EQIP initiatives in
6 Montana that allow for more flexibility to allow us to
7 work with groups of producers. That is an excellent model
8 to proceed with. Likewise, the U.S. Fish and Wildlife
9 Service Partners Program and State Wildlife Grants.

10 There's also a need for adequate funding for the
11 federal agencies that own and manage lands. Such as in
12 the Blackfoot, 60 percent of the Blackfoot is in public
13 ownership. These agencies need adequate funds to be able
14 to be good land stewards, to be able to partner with our
15 private landowners, and so we need to make sure there's
16 adequate funding for these agencies to do their job.

17 Likewise, programs like the Landowner Conservation Fund
18 and the Forest Legacy Fund are important tools in the tool
19 box for this landscape-wide stewardship effort, providing
20 money for acquisition and conservation easements.

21 Our third recommendation is that we support the
22 creation of a national watershed program that recognizes
23 the linkage between clean water, freshwater, and
24 saltwater.

25 Invest in the West. We are the headwaters to the

1 nation, and protecting, restoring, and conserving the vast
2 intact western natural resources, wildlife, and working
3 landscapes is in the national interest and will benefit
4 the nation.

5 Good resource management means crossing property
6 ownership lines to get the job done, so encouraging the
7 use of some federal funds on adjacent private lands where
8 public lands would benefit is important, like under the
9 Wyman Act (phonetic). For example, cooperative weed
10 management and stream restoration; they don't respect
11 private property lines, we need to cross those lines. We
12 also think that it's important to provide incentives for
13 private investment in conservation. Government can't do
14 it all; they need to do their part, but there needs to be
15 more incentives for private-sector investment in
16 conservation.

17 Regarding the proposed congressional cooperative
18 conservation package that you spoke about, yes, mine
19 cleanup is a critical issue in Montana and the West,
20 abandoned mines, but also mines where there are
21 responsible parties, like the Mike Horse Mine in Lincoln,
22 Montana. We need cleanup done responsibly, we need it to
23 meet the Clean Water Act, and it needs to be done in the
24 spirit of private-public cooperation. Even on some of
25 these public mines, the mines where there are responsible

1 parties, it's not all that clear. And so I think,
2 likewise, with the Good Samaritan Act, we could do some
3 more to actually move forward with mine cleanup where
4 there are responsible parties.

5 The codification of the Cooperative Conservation
6 Program in the Department of Interior also makes sense,
7 particularly the Partners for Fish and Wildlife Program
8 that is a major partner working with private landowners in
9 the Blackfoot and throughout the United States. Promoting
10 innovative landscape multi-year projects also makes sense,
11 both in the Department of Interior through innovative
12 projects as well as with the U.S. Forest Service through
13 the Healthy Forests Partnership Act.

14 In closing, thank you for listening. And we look
15 forward to working with you on a new model of cooperative
16 landscape-level conservation in the West and across
17 America.

18 MR. MARSHALL: Thank you, Tina.

19 All right. With that, let's launch into the real
20 reason that we're here, because we want to listen to you.
21 Mr. Carlson and Mr. Roberts are here specifically to
22 listen to the comments that you have. As I mentioned
23 earlier, they're not going to be answering questions in
24 this public forum, though they will be available perhaps
25 later if you have a specific question for them.

1 In addition to the gentlemen up front here, we have a
2 number of other federal representatives, and if you would,
3 I just want folks to stand up if they're with U.S. Fish
4 and Wildlife Service, USDA, other federal agencies that
5 are also here to listen. Would you just stand up real
6 quickly so you can be recognized?

7 (Members of the audience stood up.)

8 MR. MARSHALL: Excellent, thank you.

9 We're going say it many times today, and it is
10 definitely heartfelt, thank you for coming out and
11 participating in this listening session. What you have to
12 say is very important.

13 Let me go ahead and explain the process very briefly
14 again. I'm going to call the numbers in the order -- run
15 through those in the order that you arrived. We did have
16 a little bit of a mixup with the cards being split, so we
17 have a split in the numbers, but I don't think that will
18 be a big problem. Let me get a show of hands of those
19 folks that plan at this point in time to make a public
20 comment.

21 (Members of the audience raised their hands.)

22 MR. MARSHALL: Okay, quite a few folks. That's
23 excellent.

24 So what we're going to do to start off with is, let's
25 try to keep comments to about two minutes, and I'll give

1 you a warning at two minutes, thirty seconds, if you run
2 over. I'm not going to tackle you until three minutes.
3 But to the extent you can, please keep your comments to
4 two minutes. That way, we'll be able to move through and
5 give everyone a chance to comment. We want to be fair to
6 everyone here.

7 When you come up to the microphone -- Sharon will be
8 our microphone stand. When you come up to the microphone,
9 please give us your name and spell it out for us so that
10 our court reporter can get that accurately in the record.
11 We're going to be capturing all of these proceedings, and
12 the information from these proceedings will ultimately be
13 going to the White House.

14 If you don't feel like making a comment today or if
15 you have additional comments later, feel free to send
16 those in. The information on where to send those comments
17 is on the back of the card. If you have additional
18 written comments today, there is a box in the very back of
19 the room. Feel free to drop your comments in there, and
20 those will be included in the record.

21 As I mentioned, my responsibility is to keep things
22 moving, so I'm going to keep things moving along, try to
23 keep to the time. And let's just make sure everything is
24 civil. And in the interest of time, these gentlemen won't
25 be answering questions.

1 At the invitation of Mr. Roberts and Mr. Carlson, I
2 would like to ask the first person to come up, No. 1. And
3 in the interest of time, if we could have folks kind of
4 queue up kind of along this row here, so if you're between
5 1 and 10, if you wouldn't mind just migrating over to this
6 area (indicating) so that you can move up and make your
7 comment quickly.

8 MR. WILSON: My name is John Wilson, W-I-L-S-O-N.
9 I'm with the National Parks Conservation Association, the
10 Northern Rockies Region, right here in Helena, Montana.
11 We cover Glacier, Yellowstone, and Grand Teton National
12 Parks. I was hoping there would be people here from
13 Interior, so, gentlemen, thank you for being here, and
14 hopefully maybe you can pass some of my comments along to
15 your colleagues at Interior.

16 The first thing I want to do is say thank you to the
17 Department of Interior, particularly Secretary Kempthorne,
18 for what we think is a very good job with the new
19 management policies that were implemented for the National
20 Park Service. They have just been redone after a great
21 public participation process, and we think they're very
22 good, and we appreciate the efforts that they put into it.

23 I've got two ideas for you for conservation --
24 cooperative conservation today, and I'll try and be brief.
25 The first one deals with funding of the national parks.

1 The economies of Montana, Wyoming, and Idaho depend
2 heavily upon the natural wonders of the great icon
3 national parks, Yellowstone, Glacier, and Grand Teton.
4 It's been an amenity-based economy that has built around
5 those parks, and, of course, we all know that the visitor
6 industry is very strong there. But we're very concerned
7 about a well-documented and large, growing maintenance
8 backlog in all of these parks and an operations deficit --
9 annual operations deficit park-wide at somewhere around
10 \$600 million.

11 So what do you do about that? We all know that
12 budgets are tight, what are you going to do? And this is
13 the idea. What we think is we can do cooperative
14 conservation in our national parks, one of the best places
15 to do it, and eliminate the backlog and bring it back to
16 full funding by a pretty simple mechanism that's used by
17 the states to do conservation right now, and it's called
18 the check-off. And I know Montana has check-offs. There
19 are no federal check-offs. This way, we can involve all
20 Americans who can voluntarily -- when they pay their
21 income tax, voluntarily either put in part of their refund
22 or make a contribution, and that money can be earmarked
23 and dedicated to the national parks, and we can bring
24 these great places that we're so proud of, that we depend
25 upon for our natural and cultural heritage, back up to

1 snuff. So that's idea number one.

2 The second idea has to do with the wildlife habitat.

3 We know that wildlife habitat is not restricted to the
4 park boundaries. We know that the wildlife moves in and
5 out of the parks and depends upon habitat outside the
6 parks. We're seeing this huge growth trend, particularly
7 around Glacier and Yellowstone, where we're having habitat
8 fragmentation. So our idea here is -- You talked about it
9 in your publicity for this event, for the potential for
10 funding for new and innovative ideas. We think that the
11 communities that are based around the national parks would
12 be very interested in having planning grants that they
13 could match on a one-to-one basis for the purpose of
14 delineating where that wildlife habitat is outside the
15 parks and planning so that that habitat remains there and
16 we don't have endangered species, we have healthy, safe
17 species.

18 That's it.

19 MR. MARSHALL: Thank you.

20 No. 2.

21 UNIDENTIFIED SPEAKER: No comment.

22 MR. MARSHALL: No. 3.

23 MR. GOLDMAN: My name is Derek Goldman, and I'm
24 with the Endangered Species Coalition, based here in
25 Montana. Thank you for coming today.

1 The Endangered Species Act is America's safety net for
2 plants and wildlife and fish on the brink of extinction.
3 Thanks to the Act's protections, 98 percent of the nearly
4 1300 species listed are still with us today, including the
5 bull trout, the grizzly bear, the humpback whale. Here in
6 Montana, the Endangered Species Act has directly
7 contributed to the successful recovery of the American
8 bald eagle and the peregrine falcon.

9 True cooperative conservation is an important tool in
10 the tool box. But based on the conservation record of the
11 Bush Administration, many wildlife lovers and advocates
12 are concerned when we hear the administration has a
13 cooperative conservation agenda that includes changes to
14 the Endangered Species Act. It sounds reminiscent of the
15 Healthy Forests or Clear Skies Initiatives, policies
16 delivered to us in nice wrapping paper, but which offered
17 little more than sweetheart deals to industry special
18 interests.

19 Indeed, the administration's track record of the last
20 five-and-a-half years is not a good one. It includes
21 recent attempts to sell off our public lands, including
22 thousands of acres of Montana's natural heritage and
23 wildlife habitat, continued interference and
24 politicalization of science. And in addition, while here
25 today touting benefits of working in partnership to

1 conserve wildlife, the administration's 2007 budget
2 slashes the Partners for Fish and Wildlife Program, a
3 crucial landowner assistance program, by 16 percent or
4 8-and-a-half-million dollars.

5 So when we hear the Bush Administration has a
6 conservation program, cooperative or otherwise, we have
7 reason to be skeptical. There's a lot of good, authentic
8 cooperative conservation work happening around the country
9 and here in Montana, including efforts to protect and
10 recover the sage grouse and the arctic grayling in the
11 Big Hole Valley so that those species don't reach the
12 point where they need to be listed under the Endangered
13 Species Act. What we really need is for the
14 Bush Administration to hold up its end of the bargain by
15 funding existing conservation programs and upholding our
16 basic conservation laws, not undermining them.

17 We owe it to our children and our grandchildren to be
18 good stewards of the environment and to leave behind a
19 legacy of protecting endangered species and the special
20 places they call home. The Endangered Species Act
21 provides the tools for doing so.

22 Thank you.

23 MR. MARSHALL: Thank you.

24 No. 4.

25 MR. KNIGHT: My name is Phil Knight, last name

1 spelled K-N-I-G-H-T, from Bozeman. I'm a 25-year resident
2 of the Yellowstone area. I'm a professional guide and
3 naturalist in the Yellowstone region, and I support
4 implementing and protecting such laws as the Endangered
5 Species Act and Clean Water Act as they are written.

6 Without the Endangered Species Act and the Clean Water
7 Act and similar conservation laws, we would not have the
8 current conservation opportunities that we enjoy. We
9 would not have many of the healthy wildlife populations
10 and clean waterways we now enjoy and from which many of us
11 actually make a living.

12 We need a combination of solid, enforceable federal
13 laws with clear sideboards and requirements and
14 cooperation among disparate parties, especially state and
15 federal agencies and private landowners. But we cannot
16 have cooperation if private corporations and individuals
17 put private gain above the public good. Protecting
18 endangered species like the Canada lynx, the sage grouse,
19 the arctic grayling is in the public good. I resent and
20 oppose any attempt by the Bush Administration to dismantle
21 or rewrite these essential conservation laws under the
22 guise of cooperative conservation.

23 One practical thing that I would like to see done is
24 for the Federal Government to fully fund and implement the
25 Land and Water Conservation Fund, which could help with

1 what the first speaker mentioned, which is protecting
2 intact landscapes around our national parks and other
3 important conservation areas so that important
4 conservation lands can be identified and purchased and put
5 into public ownership and managed for the public good.

6 Thank you.

7 MR. MARSHALL: Thank you.

8 No. 5.

9 No. 6.

10 UNIDENTIFIED SPEAKER: Pass.

11 MR. MARSHALL: No. 7

12 MS. ELWELL: My name is Leah Ellwell,
13 E-L-W-E-L-L. I came here from Livingston, Montana, today.
14 I'm with the Federation of Fly Fishers, and we are a
15 nonprofit group that has representation in every state.
16 We are dedicated to conserving, restoring, and educating
17 through fly fishing, and we're based in Livingston.
18 Cooperative conservation is the essence of regional
19 grassroots efforts. The personal actions of local people
20 to enhance, protect, and preserve our fish and wildlife
21 resources are critical for preserving our legacy. An
22 example of successful cooperative conservation within the
23 Federation of Fly Fishers is the westslope trout recovery
24 program on the Upper Missouri. This is happening at the
25 Sun Ranch in the Madison Valley, and this basic effort is

1 a brood stock program to help recover this trout species.

2 In this situation, the Sun Ranch is large private-land
3 agricultural owners working with federal and state
4 agencies, nonprofit groups, and businesses to help protect
5 this Montana native trout species.

6 The Federation of Fly Fishers believes that laws such
7 as the Endangered Species Act, the Clean Water Act, and
8 the Clean Air Act provide necessary incentives and
9 platforms to do conservation activities in a cooperative
10 fashion. These laws -- these important laws help
11 orchestrate conservation activities, guide scientific
12 research, and, most importantly, pressure those to uphold
13 conservation ethics. An example of the critical
14 importance of the Endangered Species Act is the situation
15 with some odd species in the Pacific Northwest. Without
16 ESA, there would be no hope for their recovery.

17 Our conservation laws are effective and good, and
18 where we run into complications is in their
19 interpretation. We support cooperative conservation for
20 its requirement of regional conservation efforts, but we
21 firmly believe support is necessary from the strength of
22 ESA to guide these efforts. Cooperative conservation is
23 not a substitute for the vital laws of ESA or the
24 Clean Water Act. The laws are the most effective tools we
25 have to protect habitat, fish, and wildlife species.

1 MR. MARSHALL: Thank you.

2 No. 8.

3 MR. ROLLO: I'm Alan Rollo, with the Sun River
4 Watershed Group. My last name is R-O-L-L-O. I'd to thank
5 you for the opportunity to speak today.

6 The Sun River Watershed Group, over the past 12 years,
7 has made substantial differences and improvements in the
8 water quality and on the noxious weeds. We've done that
9 through the cooperation and collaboration with the federal
10 and state agencies and many partners around the whole
11 state. We're doing that on a continual basis, but it is
12 becoming more and more difficult as more of these
13 watershed and local collaborative efforts are stepping up
14 to the plate to get things done on the ground. There's
15 less and less resources to spread around the state to get
16 things done.

17 So the bottom line, from my perspective, is that we
18 need more resources on the ground, and any way to
19 accomplish that, to get the funds and the people out there
20 on the floor where people are needing assistance, is much
21 appreciated.

22 Thank you for this time.

23 MR. MARSHALL: Thank you.

24 No. 9.

25 MR. RISSIEN: Hello, my name is Adam Rissien,

1 R-I-S-S-I-E-N, and I'm here representing the Montana
2 chapter of the Sierra Club.

3 Since its founding, the Sierra Club has sought to join
4 with willing partners to promote the conservation of
5 America's natural resources. And in the Montana chapter,
6 we have had some great success, thanks in part to our
7 strong environmental laws and enthusiastic stakeholders.

8 In November of 2004, we completed a small partnership
9 project with the Beaverhead-Deer Lodge National Forest,
10 resulting in the restoration of an old logging road and
11 the replacement of three culverts. Currently, we have
12 joined with Trout Unlimited and other stakeholders on the
13 Callahan Creek project in the Kootenai National Forest,
14 which will restore aquatic and terrestrial habitat and an
15 important bull trout fishery. And keeping Sierra Club's
16 commitment to safe and vibrant communities, we have
17 partnered with the Society of American Foresters to help
18 design good fuel reduction projects on the Lolo National
19 Forest.

20 The success of these and future efforts depends on
21 adequate federal funding, the involvement of all
22 interested stakeholders, and, most importantly, strong
23 environmental protections. Laws such as the Endangered
24 Species Act not only provide incentives to cooperate, they
25 also provide clear guidelines that lend a degree of

1 certainty and stability to any cooperative process. By
2 securing and strengthening our environmental laws, we will
3 continue to see successful cooperative conservation. But
4 strong environmental laws are only as good as the people
5 behind them. And we have seen a steady decline in this
6 administration's commitment to the federal workforce by
7 slashing agency budgets and silencing or out-sourcing
8 agency professionals. For cooperative conservation to
9 work, we need ecological professionals on the ground with
10 the freedom to lend their professional knowledge.

11 And finally, cooperative conservation requires a full
12 and open process. This means providing meeting times and
13 places that are convenient to the public and allow a place
14 at the table for all interested stakeholders. Cooperation
15 is hard work, and there is a danger of excluding people in
16 the name of expediency. That is why the Sierra Club is
17 committing to working with all willing stakeholders, and
18 we strongly encourage a fair and open process to all.

19 Thank you.

20 MR. MARSHALL: Thank you.

21 No. 10.

22 No. 11.

23 No. 12.

24 MR. BECHTEL: I'm Rich Bechtel, B-E-C-H-T-E-L.

25 I'm with the National Wildlife Federation.

1 One of our highest priorities as an organization is
2 implementation of state wildlife action plans, and I work
3 with five states, Montana, Wisconsin, Massachusetts,
4 North Carolina, and Georgia, in helping implement those
5 strategies. And it's the first time in our country's
6 history that we have -- all 50 states and the territories
7 have done these comprehensive strategies in which they've
8 looked at every, all species and habitats within their
9 state and analyzed them for which ones are in most need of
10 conservation.

11 It's studied, then, the threats to those species and
12 habitats, and then what were the conservation actions that
13 could be taken to address them. And then it also required
14 that the state agencies and the federal agencies that
15 cooperated in developing those strategies had to talk to
16 all major landowners in the state and then all major
17 stakeholders. And as a result, we have very, very fine
18 strategies across the country. They're just now being
19 implemented.

20 I wish to address your cooperative conservation
21 enhancement draft or outline for the Department of
22 Interior. You stress using the state wildlife action
23 plans as a focus to help you with priorities for the
24 Private Stewardship Act -- Program, for the Section 6
25 Program, and for LIP. And this is a very, very important

1 thing to do, because it maximizes the use of those
2 strategies and all the landowners that have been there and
3 maximizes resources to them. The other thing is, the
4 outline for the NOAA Act could also use a similar
5 provision. And then when we look at EPA's watershed
6 programs and, of course, NRCS programs, they also could
7 benefit with using these state wildlife action plans.

8 Thank you.

9 MR. MARSHALL: Thank you.

10 No. 13.

11 MS. ALTEMUS: Good afternoon. For the record, my
12 name is Julia Altemus, A-L-T-E-M-U-S. I'm the resource
13 specialist for the Montana Logging Association. I'm also
14 a member of the Western Governors Association Healthy
15 Forests Advisory Committee and Governor Schweitzer's
16 Biomass Task Force.

17 The Montana Logging Association represents
18 600 independent logging contractors in the state of
19 Montana. We're a professionally-trained, family-oriented
20 organization that is employed in harvesting timber and
21 transporting the timber from forest to mill. We will
22 provide substantial written comment by the end of the
23 comment period.

24 We do support the tenets of the Western Governors
25 Association's ten-year implementation strategy, consisting

1 of cooperative conservation principles and sound
2 stewardship practices. We support the conservation
3 efforts of organizations such as the Blackfoot Challenge
4 and other efforts across the state. However,
5 unfortunately, Region 1 has held the dubious position of
6 having the highest appeals and litigation rate in the
7 nation up until about a year ago. Currently in Montana,
8 we have over 500 million board feet tied up in appeals and
9 litigation. Every single day, we lose 2 million board
10 feet of timber to mortality. That's not wildfire, that's
11 just mortality. And to let people know, that's 500 loads
12 of logs a day every day for every year.

13 What I did do is bring this -- and I can give this to
14 you, but this is the complaints in Region 1 that are just
15 ESA and NEPA complaints. There's over 70 complaints in
16 the last 20 years on NEPA complaints. There's over 50 ESA
17 complaints in the last 20 years. And recently, within the
18 last couple months, there's been over 20 ESA complaints
19 filed in Region 1. We simply can't go down that road
20 anymore. We have got to find better ways to approach
21 implementation of these strategies on the landscape.

22 We do support rehabilitation. We support restoration
23 efforts. But I don't think that even a blank check from
24 Congress to various programs, until we fix the system, is
25 going to help. It's all going to end up in litigation.

1 There have been cooperatives, like the Clancy Union Bill
2 Cooperative Program here in Helena; seven years of work
3 ended up in litigation. So we've got to figure out how to
4 fix that problem.

5 We appreciate the opportunity to speak, and we'll have
6 additional comments before the end of the comment period.

7 Thank you.

8 MR. MARSHALL: Thank you.

9 No. 14.

10 Ms. ENGSTEDT: For the record, my name is
11 Ellen Engstedt, E-N-G-S-T-E-D-T. I represent the Montana
12 Wood Products Association and its member companies and
13 associate members, all doing business in Montana.

14 More than 9,600 Montana families are currently
15 employed by the timber industry. We strongly support
16 changes in the Endangered Species Act and the National
17 Environmental Policy Act because both have bogged down to
18 the point of being ineffective in the protection of the
19 environment or active land management, particularly on our
20 national forests. We also will be delivering extensive
21 comments that will be submitted before the end of
22 September, along with some recommendations.

23 I have submitted some comments from Ronald Buentemeier
24 of Stoltze Land & Lumber, and I would like to highlight
25 just a few of his recommendations. Mr. Buentemeier has

1 been actively involved in the management of national
2 forests through his employment with Stoltze Land & Lumber
3 for over 43 years up in the Flathead area. He says: "For
4 us to have a healthy forest, which this administration has
5 wanted to have, is by manipulation of the vegetation in
6 the forests. Current ESA, NEPA regulations, and
7 Forest Service personnel attitudes are preventing this
8 from happening. Without change, we will lose the forest
9 products infrastructure in Montana."

10 A few of the changes -- and he outlines how these
11 changes could take place, but I'll just give you
12 one-liners on all of them. On ESA, require that economics
13 carry as much weight in ESA decisions as habitat. Require
14 ESA species to share habitat, because the critters do, so
15 the habitat is the same. The original NEPA rules
16 envisioned a document that was less than ten pages long,
17 and CEQ must simplify their rules so we get back to the
18 original intent.

19 Some specific changes to NEPA rules would include
20 cumulative effects, and under that would be reasonably
21 foreseeable future action, small federal handle,
22 consideration of past activities. Under significance, a
23 project that complies with all substantive environmental
24 laws should not be significant and should not require
25 preparation of an EIS. A project that is fully consistent

1 with a land management plan that, itself, went through the
2 NEPA process should not be significant. Range of
3 alternatives, no project under an EIS should have to
4 consider more than three alternatives plus the no action;
5 and under an EA, no project analysis should have to
6 consider more than two alternatives. Develop a specific
7 NEPA process for catastrophic events, and I know there are
8 some things in Congress right now along that line.
9 Consider litigation -- or legislation, excuse me, limiting
10 may affect --

11 MR. MARSHALL: Thank you.

12 MS. ENGSTEDT: -- determinations in the EISs.
13 Thank you.

14 MR. MARSHALL: Thank you very much.

15 No 15.

16 MR. WEBSTER: My name is Joel Webster, J-O-E-L,
17 W-E-B-S-T-E-R. I'm involved with Montana's hunting and
18 fishing community. I'm with Hellgate Hunters and Anglers
19 out of Missoula.

20 You know, everybody is going to agree that cooperative
21 conservation is a fantastic thing, not only for what's
22 getting done on the ground, but also for building, you
23 know, morale and a common kind of mission amongst
24 community members who may see things a lot differently
25 otherwise. But we can't throw all our eggs into one

1 basket. We've also got to maintain -- you know, maintain
2 habitat as the conservation priority. Now, I know with
3 folks who like to hunt and fish, places like the back
4 country are really important for critters like elk and
5 mule deer, but they're also really important for
6 threatened and endangered species, like the bull trout and
7 grizzly bears.

8 You know, the reason a lot of these animals become
9 listed in the first place is because we're not taking care
10 of the habitat, and in the long term, that's going to
11 cause a lot of problems to private landowners, because,
12 you know, when the water starts to get warmer and when
13 there's no place for these animals to hide or live, it
14 causes problems. And so, you know, while conservation
15 partnerships are a fantastic deal, we've got to maintain
16 this quality habitat on our public estate. With
17 32,000 miles of road on public lands already, there's
18 plenty of access, and I feel we can have both.

19 So thank you very much.

20 MR. MARSHALL: Thank you.

21 No. 16.

22 No. 17.

23 MR. MATTSON: For the record, I'm Carl Mattson,
24 C-A-R-L, M-A-T-T-S-O-N. I'm here with Montana Grain
25 Growers, and I also farm up along the Canadian border

1 straight north of here. I'd like to visit with you for
2 just a moment about a couple conservation programs that we
3 have that relate to working lands and agricultural
4 aspects, the CSP program, EQIP program, WHIP program.

5 I'm on staff with Montana Grain Growers to work with
6 conservation issues. And what we have here is -- Well,
7 I'm also a recipient of a CSP contract. And in my
8 sign-up, we had 3400 farmers that were available for the
9 sign-up. Ten percent received contracts. That's about
10 330 that ended up with contracts. What's interesting
11 about that is if conservation is important to the American
12 taxpayer and the citizens and whatnot, we have seen that
13 10 percent that got the contracts -- in my watershed
14 alone, we probably have 60 percent that have changed the
15 way they've farmed, hoping that they'll be ready for the
16 next sign-up. So the bang for the buck that the
17 Government and the public is getting for these kinds of
18 programs, if the wish is to move towards conservation, is
19 huge.

20 These working land programs can do the job, but the
21 financing for them has been gutted. The kind of people
22 that work and listen and try to cooperate in these
23 conservation issues are the same people that are
24 interested in the wildlife habitat and can work with all
25 the people in this room, certainly many of them.

1 Thank you very much.

2 MR. MARSHALL: Thank you.

3 No. 18.

4 No. 19.

5 MR. FRASIER: My name is Stan Frasier,

6 F-R-A-S-I-E-R. I'm from here in Helena.

7 Last week when I saw this article in the newspaper is
8 the first time I heard about cooperative conservation, and
9 my BS alarm went off immediately. It sounds like another
10 Healthy Forests Initiative, which was just a scam for more
11 logging with less public input.

12 The problems that I see in conservation is that the
13 agencies are not allowed to do their job because of
14 political interference. Just a couple of weeks ago, I
15 read an article that a congressman from Oklahoma chastised
16 the EPA for actually finding gas leaks at production
17 fields in Colorado. Those are the kind of problems that
18 need to be fixed. I don't think that this is going to do
19 that. That's a political, congressional problem and an
20 administrative problem. And quite frankly, I don't see
21 that there's going to be any improvement there.

22 If you really want to improve conservation and save
23 the taxpayers of this country hundreds of millions of
24 dollars per year, stop public land logging, stop public
25 land grazing, and eliminate the 1872 Mining Law. And I

1 have no faith that this administration is going to produce
2 anything good. I'm just waiting for it to go away.

3 MR. MARSHALL: Thank you.

4 No. 20.

5 MS. ESSEN: Hi, thank you. My name is Mo Essen,
6 M-O, E-S-S-E-N, for the record. I work for the National
7 Environmental Trust.

8 Thank you, Mr. Roberts, for bringing up the Good
9 Samaritan Clean Watersheds Act recently introduced by
10 Senator Inhofe. I would like to take the opportunity to
11 comment on its relationship to cooperative conservation.

12 And just to alleviate any confusion, this bill is not
13 endorsed by Trout Unlimited, nor is it endorsed by my
14 organization, again, the National Environmental Trust.

15 This bill underscores why we believe cooperative
16 conservation is a wonderful addition to effective
17 conservation legislation, like the Endangered Species Act.
18 The Good Samaritan Clean Watersheds Act has a number of
19 noteworthy flaws. First, it includes a blanket waiver for
20 CERCLA or Superfund Act. Second, it waives much of the
21 Clean Water Act sections specific to meeting the water
22 quality standards. Third, it continues the special
23 treatment of hardrock mining companies by not seeking
24 contributions from the industry as the coal mining
25 industry is required to do; these funds ensure the cleanup

1 of abandoned coal mines.

2 In regards to the Endangered Species Act, it is one of
3 the most successful conservation laws ever enacted at the
4 federal level. Only nine species have ever gone extinct
5 since its inception. The majority of currently listed
6 species are headed toward recovery. Unfortunately,
7 politics and a lack of funding threaten this positive
8 record. In addition, the administration has listed fewer
9 species than any other prior administration, slowing
10 recovery by adding to the backlog of imperiled wildlife
11 species.

12 Furthermore, the President's funding requests for
13 endangered species programs have been significantly less
14 than what the Fish and Wildlife Service says it needs to
15 get the job done in 2006. First, \$1 million have been cut
16 from the Candidate Conservation Program, a proactive
17 cooperative program that tries to halt species declines
18 before they get listed. And it has also cut \$5 million
19 from the Species Recovery Program.

20 I request that you fully fund and adequately fund the
21 work around the Endangered Species Act.

22 Thank you.

23 MR. MARSHALL: Thank you.

24 No. 21.

25 MR. YOUNGBERG: Gentlemen, thank you for coming.

1 I'm John Youngberg. I represent the Montana Farm Bureau.
2 My last name is Y-O-U-N-G-B-E-R-G.
3 I want to talk about a couple issues that affect
4 agriculture. Number one is the Endangered Species Act.
5 And that's an act that most people embrace, but the
6 implementation has turned into a Draconian and ineffective
7 tool, and I think whatever side of the issue you're on,
8 they would agree to that. You've heard people talk about
9 either side of it.
10 A couple things that can be done, and these can be
11 done administratively without changing the Act: One, you
12 can emphasize and maximize the opportunities for
13 cooperative conservation and partnerships. That's already
14 in the framework of the Act under Sections 6 and 10.
15 Secondly, for my folks in agriculture, you can provide
16 landowners applying for a federal permit or license or
17 receiving technical assistance or funding -- that they be
18 given the opportunity to participate and have input
19 considered in consultation required under Section 7 of the
20 Endangered Species Act.
21 You can develop a consistent framework for fish and
22 wildlife and NIMPs for the implementation. It's not only
23 between the people and the Government; a lot of time, it's
24 governmental agencies. The case of Libby Dam, we spill
25 water in the spring for the sturgeon, which lowers the

1 flow first off which kills the bull trout because it
2 raises the nitrogen level in the river, which lowers the
3 flow on the dam for the lake fall spill for the salmon.
4 So we have to make a determination with NIMPs and Fish and
5 Wildlife Service which we're going to do or what we're
6 going to do or how we're going to manage that. There has
7 to be more cooperation between those agencies.
8 We should require notification of persons holding
9 federal permits or licenses that are affected by citizen
10 suits under the Endangered Species Act. A lot of times,
11 when the suit is filed and the agreements are reached at
12 the end is the first time those folks that are being
13 affected by that agreement know about it.
14 That's about it. But again, we appreciate you coming
15 in. Those are some suggestions. I also serve as chairman
16 of the statewide TMDL Advisory Group. And a lot of the
17 groups that you've heard from and you talked about earlier
18 have received money from the Government, and they're the
19 ones that are enabling us to do the TMDL programs. We
20 need to make sure that the 319 program remains intact and
21 is sufficiently funded for us to do that, because
22 truthfully, in Montana, that's how our TMDLs are going to
23 have to get done. So we'd appreciate the administration's
24 continued support of those programs.
25 Also, one of our partners in that is the EPA. As we

1 see cuts to the EPA, we're receiving less and less help
2 from them. Part of the problems we have is we deal with
3 international waters, we deal with several sovereign
4 nations. So we have to have EPA involved because the
5 State can't do it on their own. So we encourage you to
6 continue with that funding.

7 Thank you.

8 MR. MARSHALL: Thank you.

9 No. 22.

10 23.

11 24.

12 25.

13 26.

14 27.

15 If I could have everyone that's through 35 queue up
16 along the wall there, that would be helpful.

17 MR. DENIGER: My name is Rick Deniger,
18 D-E-N-I-G-E-R. And I'd also like to thank the agency here
19 today for taking the initiative to sponsor these meetings
20 and hear what we have to say. I do believe that open
21 discussion is key to well-managed forests that will serve
22 the needs and wants of all our citizens.

23 I'm an ASA certified ATV safety instructor, and I've
24 worked in the wood products industry for the 31 years. As
25 a safety instructor, I certify and train employees for the

1 Lolo National Forest that are required to use ATVs. I
2 also serve on the board of directors for the Montana Trail
3 Riders Vehicle Association and am president of the
4 Western Montana Trail Riders Association, which is a group
5 of 134 OHV enthusiasts from Missoula.

6 In the spring of '05, we entered into volunteer
7 agreements with the Bitterroot National Forest and the
8 Lolo National Forest. Last year, our organization
9 contributed 287 hours of volunteer labor, including trash
10 collection and cleanup, unauthorized trail damage
11 mitigation, barrier construction, sign placement, and
12 level-one trail maintenance. We received the
13 United States Department of Agriculture's Certificate of
14 Appreciation from the Bitterroot National Forest, which we
15 are very proud of.

16 What I wrote is just not quite what I think was
17 appropriate as I got here, but what I would like to talk
18 about is the severe restrictions that have happened to the
19 OHV community in the last 15 and 20 years. An example of
20 that would be the Lolo National Forest. In 1987, the
21 forest travel plan listed 2100 miles available to
22 motorized use; the current motorized travel plan shows
23 80 miles. Some of those are duplicated, and 60 to
24 65 miles would be a more accurate figure. Missoula County
25 alone has 2453 registered OHV, which works out to 173 feet

1 of trail per. Because of these restrictions, the
2 thousands -- well, 36.9 million OHVs in the United States
3 feel left out. While many of us are volunteering and
4 contributing to conservation, we're getting nothing back
5 in return, just continued access denial.

6 And in such, I would ask that the grants that we go
7 for, whether it's National Trails Foundation, OHV fund
8 grants, be opened up and the restrictions lifted on those,
9 because so many of them are absolutely restrictive to any
10 type of opportunities we'd like to see. And I'll leave it
11 at that, and there will be another form submitted.

12 MR. MARSHALL: Thank you.

13 No. 28.

14 MR. LILES: For the record, my name Kim Liles,
15 L-I-L-E-S. I'll be short -- Actually, I am short. I'll
16 keep my comments brief.

17 I am the national vice chairman of the Pulp and Paper
18 Workers Resource Council. I'm a member of United Steel
19 Workers Local 885 in Missoula, Montana, and I work at
20 Smurfit-Stone Container. I've been there for 27 years.
21 I'm an hourly employee, not a company bloke, so please
22 don't get the wrong idea. I'm just frightened for my job.

23 We've been talking in the Pulp and Paper Workers
24 Resource Council for many years about biomass and the
25 utilization of biomass before it was cool. We've been

1 talking about it before it became a catch-phrase. Our
2 industry utilizes biomass in the manufacture of our
3 product and in generating energy. As we all know, we are
4 in an energy crisis in this country right now. We have
5 the opportunity right now to better utilize those waste
6 materials that lie on our forest floors, and we believe
7 that through proper and good practices, sound practices,
8 utilizing environmental regulations, that that's possible.

9 We do believe, and I personally, in representing over
10 a million-and-a-half workers in the pulp and paper
11 industry across this country, believe that the Endangered
12 Species Act is a wonderful act. But it is 33 years old
13 and needs review. We believe that there are things that
14 can be done to make it better, to make it more pertinent
15 to today, to make it work. In many cases, it is not
16 working. And when we talk about this cooperative
17 conservation, what a wonderful idea in theory, in thought.

18 But we have NEPA, MEPA, ESA, we have environmental impact
19 statements that have got to take place, so many things
20 that have to happen to make a project work that tie the
21 hands of those people who really want to try and do what's
22 right for the land.

23 So one of our suggestions is, we need better
24 coordination of existing conservation grant programs and
25 remove some of the bureaucratic barriers that lie in the

1 way. And we all know that they are there. And in many
2 cases, as I said, they overlap one another, creating more
3 gridlock. And in contrast, we also see people just throw
4 their hands up and say, the heck with it, it's not worth
5 my time, it's not worth my money.

6 So we have the opportunity, ladies and gentlemen, to
7 do good things on our lands. I believe that a hands-off
8 approach is not the answer. I do believe in active
9 management of our public, private, and federal lands. In
10 many cases, we have ignored that, and we are seeing, in
11 our national forests, the end result. And I would just
12 hope that we can get beyond this political bantering that
13 we always catch ourselves up in and do what's right on the
14 land.

15 And I thank you for the opportunity. I thank you
16 gentlemen for being here. I've had the opportunity to go
17 back to D.C. many times and work with some of your
18 colleagues, and I appreciate some of the attempts that are
19 being made. We need to work better together. Thank you.

20 MR. MARSHALL: Thank you.

21 With that, let's take a real short break. Let's take
22 about a ten-minute break. Be back at 25 after.

23 (A brief recess was taken.)

24 MR. MARSHALL: If I could have all the folks
25 29 through 40 kind of queue up along the wall here if you

1 want to comment.

2 Merlyn Carlson apologizes, he just found out that he
3 is a grandfather for the fourth time. He just found out
4 that he has a grandson who has more hair than he does. So
5 he will be joining us in just a few minutes after he makes
6 a couple of quick phone calls. But he apologizes, and
7 we'll certainly be providing notes to him for the gap here
8 while he is gone.

9 With that, let's get started with No. 29.

10 No. 30.

11 No. 31.

12 MS. VISTEIN: My name is Jeri Vistein,
13 V-I-S-T-E-I-N, and I'm a wildlife biologist here in
14 Montana. And many, many people speak of funds, money,
15 issues all the time in reference to conservation. And I'd
16 like to speak not only to our honored guests here, but to
17 our group who are here, because each one of you has great
18 power to make a difference in this country because that's
19 what a democracy is about.

20 My concern as a biologist and also as a citizen of
21 this country and also as a citizen of Montana is the whole
22 concept of how much money our federal government spends on
23 lethal control of wildlife. Every year this country,
24 spending our tax dollars, kills over two million animals,
25 spending millions and millions of dollars. And they kill

1 them by poisoning, trapping, and snaring. Our ancestors
2 in the last century nearly and did, were successful in
3 exterminating many of our species, and most of our species
4 that are on the endangered species list today are due to
5 lethal control.

6 Scientific research by biologists around the world
7 have shown that lethal control should be the last tool in
8 our box. It should be used when we absolutely need it;
9 not throw it out, but use it when we need it. And it is
10 not being used in this country in that way. It is
11 unscientific. It is totally unecological and very, very
12 unethical and immoral of our country to be doing this to
13 our wildlife, endangered or not. And that is where
14 cooperative conservation comes in, because the research
15 that's been done by biologists around the world have shown
16 that working with people who live on the land and showing
17 them and giving them all the tools that they need to live
18 with wildlife well, that is where it works.

19 And so I would suggest that, in reference to
20 cooperative conservation, that this administration would
21 start the beginning of the end of lethal control as the
22 major force of what we do with our wildlife.

23 Thank you.

24 MR. MARSHALL: Thank you.

25 No. 32.

1 MR. TURECK: My name is Hugo Tureck, T-U-R-E-C-K.
2 I'm from Coffee Creek, and I'm a rancher and farmer. In
3 fact, I should be on my combine right now, cutting a
4 pretty lousy spring crop.
5 I'm here -- I'll make more extensive comments written
6 later, but I'm here to say that not all farm organizations
7 look at the Endangered Species Act as such a threat, as
8 the Farm Bureau or the National Stockgrowers and Montana
9 Stockgrowers Association. The organizations I'm active
10 with, like the Montana Farmers Union, Montana Cattlemen,
11 really don't spend much time addressing that. We think
12 there are important issues, such as cost of production,
13 price, imports, and so forth. These, we think, need to
14 be -- Most of my neighbors don't worry about the
15 Endangered Species Act.
16 In some ways, I find the Endangered Species Act as a
17 protection. When the Pombo bill came up, I went back and
18 actually lobbied against that bill, because part of that
19 bill really didn't aid agriculture. It was threatening
20 agriculture. It was basically a bill to aid subdivisions.
21 One part of the bill, just to be very quick, was the
22 pesticide and herbicide companies would have been let off
23 the hook for the next five years for any kind of research.
24 I use pesticides and herbicides. I want to know what
25 they're doing. I find that threatening to me.

1 Finally, I think we really want cooperative
2 conservation. What we ought to move towards is a
3 preservation of farmland and the stopping of urban sprawl.
4 I think this is critical, because this is what really
5 leads to habitat fragmentation and to endangered species.

6 Thank you.

7 MR. MARSHALL: Thank you.

8 No. 33.

9 No. 34.

10 MR. ALLEN: My name is Don Allen, A-L-L-E-N. I
11 represent the Western Environmental Trade Association,
12 which is WETA. We're here today -- you've heard from some
13 of our folks today, and you'll hear from some others.

14 First of all, let me thank the federal officials for
15 coming and listening. I think it's very important to have
16 this dialogue and continue it. And we realize that
17 there's not agreement among everyone you're going to hear
18 from, but that's okay. But I think you need to understand
19 that there's some real issues out here that are not being
20 worked out in such a way that they allow the orderly
21 responsible development of our resources. And some of
22 those, I will outline in written comments to you, to the
23 group, but for now let me just mention a couple.

24 The Endangered Species Act and NEPA both need revision
25 very badly. There's so much money spent on both of those

1 that's wasted and not put into real responsible management
2 because of all of the hassling over whether it's doing
3 this or it's doing that. And so what happens is -- And I
4 just urge the federal agencies to not spend so much time
5 in trying to make sure that everything they do is going to
6 be bulletproof in terms of lawsuits, because that's going
7 to be impossible. There's always somebody out there
8 that's going to file suit and going to bring an action
9 somewhere to stop something because it doesn't please them
10 or their people. That's okay, that's part of our system,
11 too. But it's a reality. And I think a lot of times,
12 there's a real paralysis that takes place in the workings
13 of the federal agencies in trying to please everybody, and
14 I just think you can't do that. You've got to go ahead
15 and be responsible and do it right, but I don't think you
16 can really waste the time or energy and particularly the
17 finances in trying to do something that's not going to
18 work.

19 But I think in terms of those two particular areas,
20 Endangered Species Act and NEPA, I think both of those, we
21 would just urge the continuing looking at trying to revise
22 those so that they will really work better.

23 Thank you.

24 MR. MARSHALL: Thank you.

25 No. 35.

1 36.

2 37.

3 38.

4 39.

5 40.

6 Are you 39?

7 MR. PHILLIPS: I'm 40.

8 MR. MARSHALL: Okay.

9 MR. PHILLIPS: I'd like to also thank you for

10 being here today. My name is Glenn Phillips, G-L-E-N-N,

11 P-H-I-L-L-I-P-S, with Montana Fish, Wildlife and Parks.

12 I'd just like to call your attention to several

13 federal programs that we have used successfully in Montana

14 and which we believe embody the spirit and intent of the

15 cooperative conservation. These are the Landowner

16 Incentives Program, the Wildlife Habitats Incentives

17 Program, administered by NRCS, the Partners for Fish and

18 Wildlife Program, the Land and Water Conservation Fund,

19 and the state wildlife grants. I'm not going to describe

20 these programs, because I'm sure you're familiar with them

21 and they've been mentioned by a number of earlier speakers

22 today. However, we hope that the administration will give

23 support to these very successful and useful programs. We

24 believe that they promote voluntary partnerships between

25 conservation agencies and private individuals.

1 I'd also like to switch gears for just a moment and
2 talk about the Missouri River below Fort Peck. One place
3 where we would like to see the Federal Government take a
4 more proactive stand towards enhancement of fish and
5 wildlife and their habitats is in the management of the
6 Missouri River. Currently, most of the Missouri River
7 basin is in a drought situation; yet, more than
8 28,000 cubic per feet second of water are being released
9 today from the upper basin reservoir to support a
10 navigation flow for a nearly nonexistent barge industry.
11 Fort Peck Reservoir is nearing an all-time low. The
12 Missouri River needs management for more than one use.
13 Management needs to consider uses important to Montana,
14 including recreation in both the river and the reservoir,
15 recovery of endangered species, such as pallid sturgeon,
16 and protection and enhancement of important river habitats
17 for species so that they don't become listed in the
18 future.

19 The contemporary uses associated with the use of the
20 Missouri River have been shifting since passage of the
21 1944 Pick-Sloan Act, and with each passing year, this
22 original legislation has become a poorer and poorer guide
23 to address contemporary uses along the Missouri River.

24 We certainly appreciate the opportunity to comment,
25 and we will hope that you give our comments thoughtful

1 consideration.

2 MR. MARSHALL: Thank you.

3 No. 41.

4 MR. RAY: My name is Robert Ray, R-A-Y. I
5 represent the Department of Environmental Quality. I'm
6 the Nonpoint Source Program manager. And I want to say
7 thank you for coming to listen to folks in Montana.

8 I would like to echo what you heard Glenn Phillips
9 talk about with respect to programs that I think exemplify
10 cooperative conservation in the state of Montana. Such
11 things as the U.S. Fish and Wildlife Service programs, the
12 National Forest programs, the Natural Resources
13 Conservation Service programs, including the Farm Bill,
14 are all programs that the Nonpoint Source Program utilizes
15 in cooperation and in funding to meet the needs of the
16 Department of Environmental Quality and move forward in
17 the Clean Water Act.

18 There are some things that we have some concerns about
19 with respect to funding, and specifically, resource
20 funding of some of the various federal agencies, including
21 the Forest Service and NRCS. Just to give a couple of
22 examples, in that respect, the Natural Resources
23 Conservation Service was allowed to use technical service
24 providers for developing projects under EQIP and some of
25 the other Farm Bill funding, but they're still very, very

1 short-handed in terms of being able to develop on-farm
2 management programs that address numerous agencies'
3 interests, including the Department of Environmental
4 Quality's interests.

5 In addition to that, the Forest Service that currently
6 is in western Montana developing land management plans has
7 identified desired conditions that DEQ is very supportive
8 of. However, in terms of developing the plans that will
9 get to the desired conditions, they are looking at
10 objectives which project their expected future revenues,
11 and there's a big shortfall between what their objectives
12 can accomplish versus what their desired conditions are.
13 Again, that's both from a funding standpoint as well as a
14 staff resource standpoint, and we hope that the federal
15 agencies continue to advocate for ensuring that there's
16 adequate staff to protect the resources that they manage.

17 Thank you.

18 MR. MARSHALL: Thank you.

19 No. 42.

20 MR. MOY: My name is Rich Moy, and I'm chair of
21 the Flathead Basin Commission. My last name is M-O-Y. I
22 want to talk about two issues very quickly how we can
23 really use cooperative conservation. One is the work of
24 the Flathead Basin Commission and the second is the work
25 of the Crown of the Continent Mangers Partnership.

1 The Flathead Basin Commission is a very unique
2 partnership of 23 local, state, federal, and tribal
3 representatives and then a number of appointees by the
4 governor that represent the various stakeholder interests.
5 And the mission statement of the Flathead Basin Commission
6 is try to protect the high quality water of Flathead Lake
7 and the basin. And the challenge for the commission, with
8 the increase in population growth and the increased
9 nutrient loads that we see in Flathead Lake, is, how do
10 you allow for future growth and still maintain and
11 preserve the high quality of water of Flathead Lake. For
12 example, the TMDLs for Flathead Lake are set at a 1977
13 level, and that is to ensure that we will not see large
14 algae blooms. So the challenge is to meet those target
15 levels, and we need more involvement from our federal
16 partners to help us with water quality monitoring, to look
17 at nonpoint source pollution into the lake and how we
18 could do a better job of mitigating those impacts.

19 The second issue I want to talk to you about is the
20 Crown of the Continent Managers Partnership. I have a map
21 here, and I'm going to give you this map. The Crown of
22 the Continent is a very unique ecosystem of about
23 ten million acres, of which over four million are
24 protected, and it involves the province of
25 British Columbia, the province of Alberta, the state of

1 Montana, and both federal governments. It is probably one
2 of the most unique ecosystems. It is a very pristine
3 ecosystem. It has the highest density of carnivores found
4 anywhere in -- almost in North America and the highest
5 density of grizzly bears in the lower 48 states.

6 There are enormous threats to the ecosystem, from coal
7 mines in the British Columbia part of the basin to oil and
8 gas exploration on the Rocky Mountain Front to habitat
9 fragmentation and huge increases in population growth that
10 we're experiencing in the Flathead. And we have what we
11 call the Crown Managers Partnership, which is a very
12 unique partnership of government folks from the state, the
13 tribal, and federal governments in the U.S., from both
14 provinces of Alberta and British Columbia, and the
15 Canadian Federal Government.

16 What we really need is, we really need the federal
17 government folks to really take a more active role and to
18 help us. For example, our Canadian counterparts have put
19 90 percent of the funding into the partnership. Now, we
20 have two universities, the University of Montana and the
21 Mistoskas (phonetic) Institute from the University of
22 Calgary helping us. But we would surely like to see the
23 U.S. Fish and Wildlife Service, the National Park Service,
24 the U.S. Forest Service start really putting in the
25 resources to help us do a better job of protecting this

1 very unique and special ecosystem for our future kids.

2 Thank you.

3 MR. MARSHALL: Thank you.

4 No. 43.

5 MR. SCHULTZ: Howdy. My name is Tom Schultz, and

6 the last name is S-C-H-U-L-T-Z. I'm with the Montana

7 Department of Natural Resources and Conservation.

8 Mr. Carlson and Mr. Roberts, I appreciate you coming today

9 to come listen to us.

10 Cooperative conservation provides opportunities both

11 for relationship building as well as conservation efforts.

12 We think that benefits not only the state, but also the

13 federal agencies with personnel issues as well as

14 management issues on the ground.

15 Three things I want to mention briefly are habitat

16 conservation plans, land exchanges, and access. Habitat

17 conservation plans, there's folks in the audience here,

18 Mark Wilson -- you mentioned his name earlier -- and

19 Tim Bodurtha in Kalispell, with Fish and Wildlife Service,

20 that have been instrumental in helping the State of

21 Montana develop the habitat conservation plan. We

22 appreciate their efforts and look forward to getting that

23 done in a timely fashion. But the funding that's

24 available to help these agencies, we think, is critical.

25 Recently, there was a position reduced, I know, for

1 monitoring HCP implementation. And we encourage
2 opportunities in Montana. We know that Region 6 is one of
3 the least funded agencies of the Fish and Wildlife Service
4 administrative units, given the number of listed species.
5 So we do encourage appropriate funding of the local
6 Fish and Wildlife Service agencies here as well as
7 development of habitat conservation plans.

8 The second issue has to do with land exchanges. We've
9 worked cooperatively with the Lolo Forest in Missoula to
10 do a land exchange of about 12,000 acres. Again, really
11 appreciate the work of Debbie Austin, the forest
12 supervisor, and Ron Erickson with Region 1. Again, so
13 much of getting work done on the ground is about building
14 relationships, and we've been effective at doing that.
15 Additionally on land exchanges, and something that's been
16 an issue for a lot of the western states, is facilitating
17 processes that allow land exchanges to go forward a little
18 bit easier and less encumbered. So efforts at improving
19 and streamlining the land exchange process, we would
20 support that.

21 And finally, access. As much as it's important to get
22 access to public ground, it's also critical to get access
23 to state lands. And in many cases, to get access to state
24 lands, you have to cross federal ownerships. And we've
25 worked with the Forest Service and the BLM in developing a

1 statewide cost-share program with Tom Suk, the regional
2 manager. Really appreciate Tom's efforts, but also look
3 forward to continue to update those programs and processes
4 as we can to facilitate access.

5 Thank you very much.

6 MR. MARSHALL: Thank you.

7 No. 44.

8 45.

9 46.

10 If I could have everyone through 60 queue up along the
11 wall, those who are going to comment.

12 Do I have a taker on 46?

13 47.

14 48.

15 49.

16 50.

17 MR. PETERSON: 48.

18 MR. MARSHALL: Oh, 48, okay. Come on up.

19 MR. PETERSON: Thank you very much. For the
20 record, my name is Jim Peterson, P-E-T-E-R-S-O-N. I am a
21 farmer and rancher from central Montana. I serve as an
22 interim associate dean for the College of Agriculture at
23 Montana State University. I also serve as a state
24 legislator and chaired our House Natural Resources
25 Committee last legislative session.

1 I'm here today to talk to you -- And I want to thank
2 Mr. Carlson and Mr. Roberts for being here. I want to
3 talk to you about a very unique public-private partnership
4 called the Undaunted Stewardship Program. This is a
5 public-private partnership that was developed several
6 years ago as a pilot program through the Department of
7 Interior, and it's a partnership between the Montana
8 Bureau of Land Management, Montana State University, and
9 agricultural organizations in the state. We have an
10 executive committee that manages the program made up of
11 BLM, MSU, and the Montana Stockgrowers Association.

12 This program is based on three things: A land use
13 program, a public education program, and a rural economic
14 development program. And what we're trying to do here is
15 work to preserve and improve landscapes in communities
16 along the Lewis and Clark Trail in Montana. The program
17 involves certification of privately owned agricultural
18 landscapes that follow good stewardship practices, and
19 over the last several years, over a million acres in
20 Montana have been certified under this program. We also
21 monitor and document the stewardship results on these
22 ranches. We provide technical support for environmental
23 and land use improvements.

24 The other thing we do is we provide landowner
25 incentives. This is an incentive-based program and not

1 regulatory-based program, and landowners that have
2 participated are entitled to financial incentives,
3 significant financial incentives as they preserve special
4 places on private land. Historic site preservation
5 agreements have been used, a ten-year agreement, where
6 historic sites can be preserved and interpretive centers
7 developed for public access. To date, we've developed
8 12 of these. There's one just a little bit north of town
9 here at the Gates of the Mountains that I wish we could
10 take time to see.

11 This is a very unique program that involves seminars
12 for public education, interpretive displays for the
13 public, and public access to special places on private
14 land. This has become a model program within the BLM, and
15 the reason I would suggest you consider this in addition
16 to the rural economic development side of this is that by
17 doing this -- This is an incentive-based program to manage
18 landscapes, to manage conservation and stewardship, and I
19 think the same approach is very possible with endangered
20 species and watersheds, and I would encourage you to take
21 a look at it and will provide you more written information
22 later on.

23 Thank you.

24 MR. MARSHALL: Thank you very much.

25 No. 49.

1 No. 50.

2 MR. BODNER: Good afternoon. My name is
3 Jay Bodner, B-O-D-N-E-R, representing the Montana
4 Stockgrowers Association and the Montana Association of
5 State Grazing Districts.

6 I have two issues I'd like to discuss today, the first
7 one being the Endangered Species Act. This has been one
8 issue that has been a great concern to our industry.
9 There has been some efforts at the congressional level to
10 make some changes to this, some revisions, some
11 improvements, in our eyes, but those efforts really seem
12 to be at a standstill at this point. I'd like to just
13 tell you a little bit about what we're facing here in
14 Montana.

15 In Montana, we have 14 animals and 2 plant species
16 listed as endangered or threatened. Along with that, the
17 State has also listed 656 species, and they're listed as
18 species of concern. Livestock producers need some
19 assurances that these species, whether they be endangered,
20 threatened, or these species of concern, do not push
21 livestock producers out of business. Proportion of land
22 in Montana made up of farms and ranches is 64 percent of
23 our landscape here in Montana. That equates to a little
24 over 59 million acres here in Montana. Every one of these
25 threatened or endangered species of concern spends a

1 significant amount of time on private lands. As a result,
2 livestock operations are being impacted.

3 One example I guess I'd just like to relate is this
4 wolf reintroduction. At the end of 2005, there were a
5 total of 46 packs, resulting in an estimated population --
6 this is a minimum number -- of 256 wolves here in Montana.
7 There were 19 breeding pairs statewide. In Montana, we
8 have a dual classification of endangered and nonessential
9 experimental population, and the state is divided about in
10 half, with the northern as being endangered and the
11 southern half as the experimental population. So there's
12 two completely different sets of rules that apply to these
13 species. This makes it extremely difficult for landowners
14 to meet these two different rules, and it also makes it
15 difficult for the agencies that are managing these
16 species. I guess most importantly is that delisting is
17 nowhere in sight at this point.

18 So we would like to see some changes to the ESA.
19 Decisions affecting -- And these are our recommendations.
20 Decisions affecting listing/delisting should take place if
21 there is data to support that decision. Peer-reviewed
22 science should be used to support decisions. Recovery plans
23 should be focused on eliminating the threats to the
24 species, not on establishing population targets.
25 Delisting should not depend on the species being

1 reintroduced to all portions of the range where they may
2 once have lived.

3 I think one thing that we would like to look at is
4 state boundaries being discussed within ESA discussions.
5 In Montana, we have been penalized for having populations
6 of grizzly bears, wolves, and sage grouse. Anytime
7 there's an attempt to list any of these species, Montana
8 is included in the historic range, even though these
9 species here in Montana are sufficient or increasing.

10 MR. MARSHALL: Thank you very much.

11 No. 51.

12 52.

13 MS. MARQUIS: My name is Vicki Marquis. First
14 name is V-I-C-K-I, last name is M-A-R-Q-U-I-S. I
15 represent the Missouri River Conservation Districts
16 Council. It's a coalition of the 15 conservation
17 districts along the Missouri River in Montana. The
18 Missouri River is greater than 730 river miles in this
19 state. That's longer than the Rocky Mountain Front, and
20 it's a pretty vital resource to our state.

21 Some of the issues that we advocate are simply
22 involving local people more in federal agency decisions.
23 Montana has a rich history of earning their living from
24 the land and protecting the resources to ensure that
25 they're there for future generations. We feel that those

1 local residents should be -- should have a louder voice in
2 federal agency decisions.

3 In addition to the NRCS special initiatives programs
4 that Tina mentioned they're using on the
5 Blackfoot Challenge, we also have a \$57 million
6 conservation reserve enhancement program available on the
7 Madison and Missouri River corridors. The program isn't
8 being fully utilized at this time, and we believe that
9 with just a couple of adjustments, we could achieve
10 greater success. First of all, there's a requirement that
11 only native species be planted in grassland areas. And
12 while we realize that that's a good ideal, it just isn't
13 practical to rip out a healthy stand of grasses and expect
14 native species to take root right away. What it does is
15 open some opportunity for noxious weeds to take hold and
16 makes a bigger problem. Additionally, the riparian forest
17 width is right now set at 180 feet, and we would like to
18 see it expanded to 1200 feet. Acknowledging that the
19 Missouri River channel has migrated over time, there are
20 large oxbows that could provide valuable riparian habitat.
21 If the program were expanded, we could get more projects
22 in those areas and further enhance our riparian areas.

23 Some of the success stories along the Missouri River
24 include our relationship with the Bureau of Land
25 Management in the central Montana area. The field manager

1 in Lewistown, June Bailey, has gone out on several tours

2 to meet the private landowners within the monument.

3 That's very important and means a great deal to those

4 people. We'd like to see more of those efforts continued.

5 One of the areas where we need some help is right

6 outside Malmstrom Air Force Base in Cascade County. Their

7 storm water drainage is enabling the erosion of a ravine

8 that dumps about 470,000 tons of sediment into the

9 Missouri River. We'd like to see that stopped, but we

10 need the Department of Defense to come to the table, talk

11 with us and brainstorm with us ways to find funding to fix

12 the problem and to stop it from continuing to occur.

13 Another success story is that on the lower reach, a

14 group down there designed and built a dredge that would

15 clean out the irrigation pump sites. At the same time,

16 that dredge creates emergent sandbar habitat that is

17 critical to the endangered species that are there, the

18 piping plover and the interior least tern. We'd like to

19 see projects like that funded and supported more fully

20 from the federal agencies.

21 Thank you.

22 MR. MARSHALL: Thank you.

23 No. 52.

24 53.

25 54.

1 MR. LITTLER: Good afternoon. My name is
2 Al Littler, L-I-T-T-L-E-R. I serve on the Land Use,
3 Property Rights, and Environment Subcommittee of the
4 National Association of Realtors -- I'm on that board of
5 directors -- and also serve on the Montana Association of
6 Realtors, Billings Association of Realtors, and I serve as
7 an appraiser in the county of Yellowstone, on the
8 city-county planning board and zoning board.
9 I gave the testimony there in writing. I'll emphasize
10 a couple things, one concerning the burden of the
11 landowner. They have to handle the financial burden when
12 these habitats are identified. There needs to be a more
13 equitable situation arranged. As far as the science is
14 concerned, we're advocating more adherence to the
15 Data Quality Act so that we can investigate and verify the
16 science that's used on some of these decisions.
17 Cost-benefit as compared to the local economy impact is
18 important to us also.
19 I didn't include these in my written remarks, but my
20 personal remarks, I think that you need to take a look the
21 citizen suit clause that you have in ESA, as well as other
22 environmental acts. What happens there, the environmental
23 cartel is using that to generate thousands and thousands,
24 tens of thousands of dollars to attorneys and to various
25 organizations when, in fact, we can't clearly show that

1 that money is coming back and really reducing the problem

2 that they sued on.

3 It's not only the lawsuit, but the intent to sue.

4 What we find in industry, they may be 17 percent of the

5 pollution at point of origin, yet we have municipalities

6 that are over 35 percent polluters, as well as these other

7 nonpoint -- runoff and other kinds of pollution, and yet

8 they don't sue on that. Mainly they're suing primarily on

9 the Clean Water Act, and that's mostly around

10 technicalities. And that's because the rules require

11 industry to provide certain reports; they glean

12 information from the reports and threaten a lawsuit. I

13 don't think that that's right. I'm finding that probably

14 one of the only reasons they do that is probably their

15 lack of funding. And what they said about federal funding

16 for environmental development and habitat and so on and so

17 forth is needed. We need to increase that funding. But

18 we also need to stop the misuse of the citizen suit

19 clause.

20 And I have much more empirical data and tables that I

21 can make available to you later.

22 Thank you.

23 MR. MARSHALL: Thank you.

24 No. 55.

25 MS. BARWICK: Hello. For the record, my name is

1 Janet Barwick, B-A-R-W-I-C-K. I represent the Natural
2 Resources Defense Council's Wild Bears Project, based in
3 Livingston, Montana. I want to start off by thanking you
4 for the opportunity to comment here today.

5 I'm here to voice my support for stronger protection
6 of Montana's natural resources. Because of laws like the
7 Clean Water Act and the Endangered Species Act,
8 conservation through cooperative efforts have not only
9 been possible, but they have been successful. For
10 example, species such as the arctic grayling and western
11 sage grouse are thriving due to these laws. We need to
12 protect these laws as they are today, not dismantle them.

13 Strong laws are essential for the preservation of our
14 natural heritage and our way of life. We cannot put a
15 price tag on wilderness or clean water or air free of
16 pollution. I would say to the powers that be that if it
17 ain't broke, don't fix it. Laws such as the ESA are
18 working. Species once on the brink of extinction are now
19 rebounding and thriving. This has all been possible
20 through cooperation of multiple stakeholders, and they are
21 because we need and have stronger laws, not weaker ones.

22 Working together to preserve our way of life, I would
23 argue that cooperative conservation is not a new idea.
24 Montanans have been working to conserve important lands
25 and wildlife for decades. But this has only been possible

1 with strong laws that have been in place to foster these
2 relationships toward a successful goal. Please keep these
3 laws intact and strong and fund them at appropriate levels
4 to ensure continued success.

5 Thank you.

6 MR. MARSHALL: Thank you.

7 No. 56.

8 MR. McEVOY: My name is Lawrence,
9 L-A-W-R-E-N-C-E, McEvoy, M-C-E-V-O-Y, of Clancy, Montana.

10 I do not have a title. I'm not here at the behest of
11 anyone. I am a grandfather; I've got nine grandchildren.

12 And I'm at the stage in my life where I am thinking about
13 what I will leave behind for my grandchildren.

14 One of our guests spoke about the influence of
15 Theodore Roosevelt. Theodore Roosevelt not only was a
16 great conservationist, but he founded the -- or he
17 established the first national wildlife refuge,
18 Pelican Island in the Gulf of Mexico off of Louisiana. A
19 few years after Roosevelt was in office, the Migratory
20 Bird Treaty Act was passed. This was a monumental
21 conservation achievement, and it still affects all of us.

22 It's one of the reasons why we still have a significant
23 number of our migratory bird species still left in
24 Montana.

25 I'm old enough to remember when there were only

1 19 whooping cranes on this earth. Nineteen is all there
2 were when I was a boy in grade school. Their population
3 numbers now in the hundreds. I am old enough to remember
4 when the peregrine falcons all across North America were
5 almost extinct. I'm old enough to remember when
6 Rachel Carson published her book, "The Silent Spring." We
7 cannot forget what we have accomplished, and I don't think
8 most of us in this room want to slide backwards. I think
9 that we need to support these landmark laws. If they need
10 to be tweaked, let us tweak them in a positive direction,
11 not in a negative way.

12 I think we need the Endangered Species Act, and I hope
13 these hearings -- I understand this is only the second one
14 around the country. I hope they do not become a Trojan
15 horse used to attack the Endangered Species Act. I'm kind
16 of getting that feeling after being here for a couple of
17 hours. I support the Endangered Species Act.

18 I also want to add, I do participate in cooperative
19 conservation. My wife and I, along with two of our
20 children, have a total of four conservation easements on
21 lands that we own south of Helena and west of Billings,
22 and the total acreage on those easements is about
23 2500 acres, all of it prime wildlife habitat.

24 Thank you very much.

25 MR. MARSHALL: Thank you.

1 57.

2 MR. ICENOGLE: Good afternoon. My name is
3 Joe Icenogle, and that's spelled, I-C-E-N-O-G-L-E. I
4 represent Fidelity Exploration Production Company. We're
5 the largest natural gas producer in the state of Montana.

6 Reviewing cooperative conservation, I applaud,
7 Fidelity applauds many of these conservation programs that
8 people are doing in various watersheds. As a person
9 employed in the oil and gas industry, I deal with
10 site-specific conservation plans, where we're trying to
11 balance the schematics, the layout of oil and gas
12 facilities, with ranchers' existing uses, with regulatory
13 restraints, with needs for tomorrow. So we practice that
14 conservation on a daily basis.

15 The biggest impediment that I see, though, is trust;
16 mistrust in the federal government. Many times when we
17 need to get biologists on the private surface overlying
18 federal minerals, they're hesitant because currently under
19 the Endangered Species Act, as long as they don't know,
20 they can continue their historical uses of the land. As
21 soon as they know they have habitat for an endangered
22 species, they lose property rights. And this is very
23 concerning to them. So in order to have cooperative
24 conservation, there needs to be trust that when landowners
25 participate voluntarily, whether it's an inventory of

1 habitat or of a species, that their historical uses will

2 be able to go forward. It's very important.

3 In addition, when we do lay out our operations,
4 there's a tendency, with Bureau of Land Management staff,
5 to want to change the agreement that's been worked out
6 between the oil and gas producer and the landowner based
7 upon subjective perspectives; not scientific data, not
8 inventorying data, but how they feel. This needs to
9 change in order to have cooperative conservation on the
10 ground.

11 When we look at environmental partnerships as part of
12 your program, Fidelity and many our companies have funded,
13 voluntarily, many studies on wildlife, and when we are
14 solicited for funding, we are deemed a partner. However,
15 when a report comes out for peer review, we're the last
16 ones to know about. So in order to have a true
17 partnership, you must have true trust, and that must
18 maintain throughout the current process or the entire
19 process, including the study.

20 So I encourage you, as you go forward looking at many
21 ways, trust needs to be that foundation.

22 Thank you.

23 MR. MARSHALL: Thank you.

24 Okay, 58.

25 59.

1 60.

2 MR. YARBERRY: For the record, my name is
3 Willis Yarberry, Y-A-R-B-E-R-R-Y. I work with the
4 Nature Conservancy here in Montana. And probably the most
5 important thing is, congratulations on being a
6 grandfather. I think that's great news. It's probably as
7 important as any of this other stuff.

8 The Nature Conservancy, both nationally and in
9 Montana, is extremely pleased to see the emphasis on
10 cooperative conservation. We have bet our ranch on that
11 process. We think it's the only way we're going to be
12 successful at doing large landscape-scale conservation in
13 functioning ecosystems like we have in Montana, which are
14 really dependent on being working landscapes.

15 We did have a couple of suggestions, I think, as to
16 how the program can work better within the administration.

17 One of them, I would say, is a bit of lingering old
18 business, and the other one is a piece of pending new
19 business. On the lingering old business, we have found in
20 multiple federal partnership projects, like the
21 Blackfoot Challenge that we've worked with, that the
22 individual agencies, when they're doing their
23 prioritization process for either land acquisition
24 projects or for stewardship projects, for example, there's
25 no tying element between having a true cooperative

1 conservation backing to the project in their ranking
2 criteria. And what I interpret the administration's
3 emphasis on cooperative conservation is when it has
4 multiple partners, both state, local, private philanthropy
5 dollars and NGOs that are bringing real financial
6 resources to the table. And we have not seen that
7 consistently applied in the ranking criteria sort of
8 across the board when individual agencies serve their
9 projects up.

10 So if there's an example, certainly, the
11 Blackfoot Challenge is a classic example of that. There's
12 8 to \$10 million worth of private philanthropy being
13 brought into the project, there are multiple state and
14 federal funding sources. Somewhere, we think there ought
15 to be some credit for the fact that that's happening as
16 they put together those ranking criteria. So I would just
17 ask you to take it back to look at those individual
18 systems that are being done on an agency-by-agency basis
19 as they bubble up their priorities. And if it's truly a
20 priority of this administration, then to get those systems
21 a little better aligned, I think will help with that.

22 The second thing I'd just like to mention briefly is
23 sort of an example of something that's sort of out there
24 and pending, is that there are some pending policies that
25 are in play about accepting donations of cash or bargain

1 sales or donations of land within Department of Interior
2 that actually, we think would make things even more
3 difficult. It would require that anything over 2500 bucks
4 or so has to go up to the inspector general's review and
5 those sorts of things. We think that type of a system
6 actually could work against cooperative conservation,
7 where some of us in the nonprofit world, that's our reason
8 for being, is to contribute our funds to help leverage
9 federal dollars, et cetera, et cetera. We'd just ask you
10 to take a look at that and make sure it's not going in the
11 wrong direction.

12 Thanks for your time.

13 MR. MARSHALL: Thank you.

14 No. 61.

15 MR. GRAF: My name is Eugene Graf, G-R-A-F, a
16 builder from Bozeman, Montana, representing the Montana
17 Building Industry Association and National Association of
18 Homebuilders.

19 We applaud the cooperation effort. We think there's
20 some tweaking that needs to be done. For example, under
21 the Endangered Species Act, we need clarity for key
22 regulatory items called into question by litigation, i.e.,
23 adverse modification and jeopardy. Besides the valid
24 cost-benefit analysis of regulatory action, we need a
25 no-surprises clause in the ESA to protect in-place habitat

1 conservation plans. And under the Clean Water Act,
2 enforcement needs to focus on environmental protection and
3 not paperwork requirements. Also, when the U.S. Supreme
4 Court issues a finding, the Environmental Protection
5 Agency and the Corps of Engineers need to revise their
6 regulation to comply rather than finding a way to
7 challenge the ruling.

8 MR. MARSHALL: Thank you.

9 No. 62.

10 MR. ROBERTS: Good afternoon. My name is
11 Byron Roberts, and that's B-Y-R-O-N, and I represent the
12 Montana Building Industry Association, and we are
13 Montana's homebuilders.

14 I'm here today because Montana's homebuilders and
15 developers are governed by a number of federal
16 environmental statutes and regulations, and our main
17 concern is putting some reason in three different federal
18 regulations, the Endangered Species Act, the management of
19 storm water, and the protection of wetlands.

20 With regard to wetlands, the permitting requirements
21 of the Clean Water Act administered both by the Army Corps
22 of Engineers and EPA are often arbitrary and onerous. Due
23 to a regulatory process gone awry, developers and
24 landowners are forced into combative rather than
25 cooperative positions when navigating the permitting

1 process. We urge the Bush Administration to undertake
2 rulemaking to clarify issues arising out of a recent
3 Supreme Court decision. We must establish readily
4 identifiable limits to federal jurisdiction. Without
5 clear definitions to guide field staff, permitting
6 decisions will continue to be arbitrary and inconsistent.
7 This lack of clarity is unduly burdensome for critical
8 infrastructure and for private projects. How can
9 cooperative conservation take place when reasonable
10 alternatives to a one-size-fits-all regulation cannot be
11 negotiated?

12 The Endangered Species Act needs reform. Under the
13 Endangered Species Act, the Federal Government is
14 authorized to regulate endangered and threatened species
15 and their habitat on private as well as public property.
16 The Federal Government should use science, not political
17 opinion, to identify and accurately assess the biological
18 value of the habitat. We should encourage builders and
19 developers to participate in existing and future habitat
20 conservation plans by exempting all private property
21 enrolled in existing or pending habitat conservation plans
22 from critical habitat. The listing of endangered species
23 and protections of their habitat under the Endangered
24 Species Act should utilize a rigorous scientific approach
25 that reasonably balances the endangered species

1 protections cost and private property rights.

2 In regard to storm water regulations, the EPA has
3 established storm water regulations that are costly,
4 excessive, and sometimes inconsistent and duplicative of
5 state and local requirements. The inflexible requirements
6 imposed by EPA through federal storm water regulation do
7 not acknowledge the fundamental differences between storm
8 water and other pollutants or between residential and
9 general construction.

10 We appreciate the opportunity to be heard and feel
11 that these listening sessions are truly a positive step to
12 bring a sense of reason to these regulations. These
13 ill-conceived regulations are putting the cost of housing
14 and pricing a growing number of families out of the market
15 for home ownership.

16 Thank you.

17 MR. MARSHALL: Thank you.

18 No. 63.

19 MR. COTE: Good afternoon. My name is
20 Shawn Cote, S-H-A-W-N, C-O-T-E. I'm with the Southwest
21 Montana Building Industry Association in Bozeman, Montana.

22 I would like to encourage the EPA and state and local
23 authorities to take the following steps in the interests
24 of clean water and more effective -- more cost-effective
25 regulation. First, the removal of duplicative federal

1 permit obligations where residential construction site
2 operators discharge directly into municipal storm water
3 systems and are already required to control runoff into
4 such a system based on federally mandated regulations
5 imposed by municipalities.

6 Second, to allow states to assume the lead enforcement
7 role when they issue permits under programs that have
8 received federal approval while still allowing the federal
9 EPA to bring enforcement actions in certain circumstances,
10 such as where a storm water discharge poses imminent and
11 substantial endangerment.

12 And finally, develop federal and state watershed
13 partnership programs with homebuilders to increase
14 awareness of federal and state storm water regulatory
15 requirements and provide opportunities for innovative
16 practices to conserve natural resources.

17 Thank you.

18 MR. MARSHALL: Thank you.

19 No. 64.

20 MR. PARTIN: Thank you. My name is Tom Partin,
21 spelled P-A-R-T-I-N. I'm the president of the
22 American Forest Resource Council. We represent about
23 90 forest-product-and-timber-growing companies in
24 12 western states, many of which are located here in
25 Montana. I wanted to thank Mr. Carlson and Mr. Roberts

1 for coming out today, taking our comments on the
2 conservation -- cooperative conservation. And today, I'm
3 going to focus primarily on upgrading and modernizing the
4 Endangered Species Act and the National Environmental
5 Protection Act.

6 Under the ESA, Endangered Species Act, it has been
7 31 years since it became law. While its intentions were
8 good, the reality is that we've done a terrible job of
9 saving and recovering the species. It's time to update
10 the ESA regulations to, number one, ensure decision-making
11 uses of the best available science by making all ESA
12 decisions comply with the Data Quality Act; number two,
13 create real incentives to encourage landowners to
14 participate in recovery efforts since 90 percent of the
15 species are found on private lands; third, clearly define
16 what constitutes a species, whether threatened or
17 endangered; fourth, be more specific on what constitutes
18 Section 9 prohibition on a take; fifth, establish
19 consistent rules, policies, and procedures for designating
20 critical habitat; and finally, under ESA, we'd like to
21 simplify and reduce Section 7 consultations.

22 Under NEPA, while NEPA is a simple statute, the CEQ
23 regulations are over 25 pages. But more importantly,
24 during the last 30 years, the courts have added
25 requirements that are found neither in the statute nor in

1 the regulations. It is critically important that CEQ
2 procedures are simplified to allow projects to be more
3 timely, while also reducing the likelihood of court
4 injunctions by, first of all, clarifying the limits on
5 analysis of differing scientific opinion where there is no
6 consensus; secondly, reduce the amount of information in
7 documents that is not essential for reasoned decisions;
8 third, narrow the definition of new information that
9 requires a supplemental NEPA document; fourth, reign in
10 ever-growing requirements for cumulative effect analysis,
11 which we've seen time and time again in many of our
12 federal projects that shut down many of our timber sales;
13 fifth, clarify the types of projects considered major
14 federal actions and limit the analysis required for minor
15 federal decisions.

16 In closing, my organization was in St. Louis when this
17 cooperative conservation program was kicked off. We're
18 happy to be here in the second phase and happy to
19 represent the forest products industry in this.

20 Thank you.

21 MR. MARSHALL: Thank you.

22 No. 65.

23 MS. CLARK: Good afternoon. I'm Janet Clark.

24 I'm the director of the Center for Invasive Plant

25 Management. And that's based at Montana State University,

1 but we work with scientists, land managers, and community
2 groups throughout the western United States.

3 I wanted to tell you that one of our most gratifying
4 programs is a small grants program that we have for the
5 formation and support of cooperative weed management
6 areas. These are small community-level groups of
7 landowners, both public and private, that are organized to
8 prevent or manage invasive plants, usually on a watershed
9 basis. And as Mr. Roberts said, these are communities
10 applying common sense to common problems.

11 Since 2002, our center has been able to award grants
12 to 98 cooperative weed management areas in 16 states. And
13 this has leveraged the dollars at a rate of about 1 to 4,
14 which is a lot of community involvement in this. The
15 partners -- When we ask them, who are your partners, most
16 often, it's private landowners and volunteers that come up
17 as number one. But two through five are the counties and
18 then the Forest Service, the Bureau of Land Management,
19 and NRCS. So we see that our federal partners, our
20 federal agencies are being good partners in these weed
21 management areas, and it's resulted in success stories
22 across the West. And not only that, these organizations
23 are now springing up throughout the Midwest and the East
24 modeled on the western organization.

25 Based on our experience, I have three things I'd like

1 to mention, three suggestions. One, I think right now in
2 Congress, there's some legislation pending that has to do
3 with the National Park Service allowing -- in allowing
4 that agency to spend dollars outside the park boundaries
5 to partner with its neighbors as the other agencies are
6 able to do. And that would be a fine thing for these
7 cooperative weed managements areas that bump up against
8 the parks. Second, we would request that federal budgets
9 for invasive species management and habitat conservation
10 are adequate so that the field-level personnel can be good
11 partners in these organizations.

12 And third, I want to say that it seems that, from what
13 I hear in reports from these cooperative weed management
14 areas, that people can get other people to come to the
15 table and to sit down all together and to talk and to
16 agree on what they need to do, and a lot of times, the
17 first hitch comes when they have to sign a piece of paper,
18 like a memorandum of understanding or a memorandum of
19 agreement. So if there was some standardized federal MOA
20 or MOU that would allow cooperative conservation projects
21 to move forward and lessen the paperwork, that would be
22 great.

23 And finally, I'd just like to submit a couple of
24 reports, if I can, that are full of cooperative weed
25 management area success stories and examples of good

1 cooperative conservation in the West.

2 Thank you.

3 MR. MARSHALL: Thank you.

4 66.

5 67.

6 68.

7 69.

8 70.

9 UNIDENTIFIED SPEAKER: 75.

10 MR. MARSHALL: 75. Do I have a 75?

11 UNIDENTIFIED SPEAKER: Yes.

12 MR. MARSHALL: If I could get everyone through
13 about 88 to line up -- queue up, and we'll have you ready
14 to go here.

15 MR. BECKLEY: My name is Bob Beckley. I'm an
16 employee of the USDA Forest Service. The branch I work
17 for is the Technology and Development Center. We are part
18 of the Washington office; we're just blessed that we don't
19 have to live there. Being part of the Washington office,
20 we are national in scope, not for just this area.

21 The role of the Technology and Development Program is
22 to take projects from the field and find solutions to
23 them. We are not managers, we are not planners, we don't
24 have anything to do with policy. Listening to some of the
25 concerns of this group today, I made some notes of some of

1 the projects that we either are actively involved in or
2 have recently completed. Acid mine waste, we have a
3 volunteer project for recruiting, training, retaining
4 volunteers; the Healthy Forests Initiative, biomass
5 reduction, invasive species, off-highway vehicles; in
6 watershed, fisheries improvement.

7 In looking at cooperative conservation, we are
8 recently starting a project that deals with traditional
9 skills. The traditional skills that we're looking at are
10 tools like axes, crosscut saws, nonmotorized rigging
11 techniques, horse-packing skills, mules. While these
12 tools, these skills were once prevalent, were once really
13 the foundation of the Forest Service -- and really, these
14 are the skills that built America, everybody knew them --
15 today they're slipping by the wayside. If we don't save
16 and preserve them in this generation, we could lose them.

17 The Forest Service is looking at developing a
18 traditional skills program. The purpose of this program
19 is to preserve these skills. We've done a couple test
20 pilots. We did one several years ago in Florida with
21 hurricane recovery. On the Ocala National Forest, we went
22 out in one of their wilderness areas, the Juniper Springs
23 Wilderness Area, we made the offer that we will teach you
24 how to use nonmotorized rigging techniques, crosscut saws,
25 and axes. That brought in several hundred new volunteers

1 to the Forest Service and to the Florida Trails Program.
2 We did another program: We found support from one of the
3 largest timber companies in the United States. They
4 looked at crosscut saw skills, ax skills, and rigging
5 skills, and said, you're honoring our heritage; we want to
6 get behind you and support this program. We also had an
7 environmental group that's better known for suing the
8 agency come forward and say, we'd like to help. That's
9 cooperation.

10 My point in being here is that we are a resource, and
11 we would like you to look at us and use us.

12 Thank you.

13 MR. MARSHALL: Thank you.

14 No. 76.

15 MS. RYAN: I'm Clarice Ryan, and I'm from
16 Bigfork, Montana. I'm on the Bigfork Land Use Advisory
17 Committee, and I'm also on the board for Montanans for
18 Multiple Use.

19 Our previous speaker, I think, hit the nail on the
20 head as far as my feelings concerning the cooperation
21 between the Forest Service and many of these other
22 agencies. I think that what I have been observing is, a
23 lot of new practices that they have been implementing
24 within that agency are actually contrary to the interests
25 of the environment and the wildlife and air and water

1 health.

2 Because of the hands-off management, we have an
3 overgrowth of timber, and as a result, we have an
4 unhealthy forest. And an unhealthy forest results in an
5 unhealthy environment for humans and animals alike. We
6 are now incinerating our timber due to the overload of
7 fuels. We are barbecuing our bears. We are polluting the
8 air. We are pouring tons of pollutants into the water
9 from the ash. We're destroying the humus that has built
10 up in the forest, and it will take generations for that to
11 be recovered to the point that we will get a forest. Some
12 of our restrictions now on roads prohibit us from getting
13 in to fight fires. It's driving timber harvest to
14 helicopters, and helicopter harvest can only be financed
15 by taking the biggest and best trees, which means your old
16 growth.

17 So a lot of the policies that have been developed out
18 of this effort to protect the environment are actually
19 acting against it, and I do hope that this is reviewed
20 with your traditional skills, which have proven in the
21 past to be saving our forests. If we're going to start
22 cooperating with state and private property owners, we've
23 got to bring in from your agencies those policies and
24 adjust those policies that have destroyed the forests
25 instead of saving them. And this goes for habitat. The

1 water quality is lost because of water rushing off and
2 taking sediment with it. There's mud slides and so forth,
3 the air, pollution in the lakes and so forth, it builds up
4 pollution in that.

5 Now, as far as financing, I hear again and again the
6 concerns over funding. Forests used to not only provide
7 for their own good health, but also for the roads,
8 highways, schools, and livelihoods of people. And if we
9 got the right policies back into operation, those forests
10 could provide for their own hospitalization and recovery.
11 Let's look closely at how this cooperation works and
12 utilize the knowledge that has already been there through
13 the years.

14 Thank you very much.

15 MR. MARSHALL: Thank you.

16 No. 77.

17 MR. McKINNEY: Hello, my name is Jono McKinney,
18 M-C-K-I-N-N-E-Y. I'm the director for the Montana
19 Conservation Corps. I also serve on the board of
20 directors for the National Association of Service and
21 Conservation Corps. I'd like to thank Mr. Carlson and
22 Mr. Roberts for coming out and listening.

23 MCC involves young people in a host of conservation
24 and community projects with the goal of developing life
25 skills and skills to be engaged in contributing members

1 for young people. We do that by essentially involving
2 young people in hard labor projects, most of them being
3 conservation projects, and we work extensively in
4 partnership. Typically, we have between 150 and
5 200 different partnerships every year of organizations we
6 work with, which include all of the federal and state
7 agencies in Montana and surrounding states, also with a
8 lot of the community and other watershed groups that have
9 been here this evening. So it's nice to kind of see these
10 faces. I'd like to point out that actually, two years
11 ago, the Montana Conservation Corps was awarded a
12 wilderness award from the Department of Agriculture in the
13 area of minimum skills and traditional tools.

14 Last year, our AmeriCorps members -- we are an
15 AmeriCorps national service program -- contributed
16 170,000 hours of service to conservation projects in
17 Montana. Conservation corps equal a conservation
18 workforce. And conservation corps are cost effective and
19 they create a generation of stewards, people who are
20 vested with the skills and values to protect our lands.

21 Four suggestions I'd like to share. One is, I would
22 encourage that federal agencies, whenever possible,
23 include administrative language in their bills that
24 explicitly allow or clarify how federal dollars can be
25 used or can be matched. A great example of the last is

1 the last transportation bill; the funds in the
2 Recreational Trails Program were explicitly described that
3 they could be used as state funds to be matched against
4 other federal funds. That has allowed us to leverage some
5 of those grants which are originally federal but become
6 state dollars to develop other projects, which have
7 allowed us to use trail dollars to do weed mitigation and
8 monitoring projects.

9 The second suggestion is to support the Public Lands
10 Corps -- funding for the Public Lands Corps in the
11 National Park Service system. This is a mechanism that
12 the Park Service uses to involve local community or
13 conservation corps in projects. Currently, Yellowstone
14 National Park and Glacier National Park are not eligible
15 for those funds. We encourage that you increase those
16 funds and make those parks eligible to involve local youth
17 in the stewardship of these places.

18 I encourage all the agencies, including our state
19 agencies, to become more aware and to support the use of
20 corps and AmeriCorps, including funding for the AmeriCorps
21 at the national level and use by agencies of this
22 cost-effective resource.

23 And lastly is, the President signed a bill last year,
24 the Public Lands Corps Healthy Forests Restoration Act.
25 It was unanimously approved by Congress. It is waiting to

1 be appropriated. So I would encourage that we work
2 towards that appropriation.

3 Thank you for listening.

4 MR. MARSHALL: Thank you very much.

5 No. 78.

6 MS. CARLSON: Good afternoon. My name is
7 Sarah Carlson. I work for the Montana Association of
8 Conservation Districts. And considering my current
9 situation, I can't think of a better reason to have to
10 step out of a meeting than the arrival of a baby. So
11 congratulations also on that. I'm happy to hear another
12 member of the Carlson clan is here.

13 I want to key off of something that Mr. Roberts said
14 about how cooperative conservation is a new idea, but it's
15 also an old idea. And that's something that conservation
16 districts really have been doing for 60 years, and it's a
17 wonderful story. They started out really lining up the
18 landowners with the scientists and ways they could work to
19 do informed, good practices on their land that was good
20 for the producers but also good for the environment. And
21 later, that kind of developed into lining landowners up
22 with programs, particularly with our NRCS partners, and
23 you've heard -- and I'll be submitting written comments
24 also about little things that could be done with CRP and
25 CSP and some other programs. I'll submit those. But

1 those are the kinds of things that we get landowners lined
2 up with.

3 There's a misnomer around that conservation districts
4 are just ag related and they don't have anything to do
5 with the folks that live in town or in the suburbs, and
6 that is not entirely the case. We certainly have an
7 agricultural background, but that's just a demographic
8 reality, particularly in a place like Montana, because
9 that's who owns the land and we deal with private
10 landowners. Conservation districts are locally elected
11 officials, they've been around for decades, they're going
12 to be around for decades, as far as I can see, and they're
13 really a tool that I think the feds should look at as a
14 way to get some local input on programs. And that already
15 takes place with NRCS and some other programs -- or some
16 other agencies.

17 I'd just like to conclude with, I have a colleague of
18 mine that's not involved in conservation who said to me,
19 "You know, you conservation district guys are everywhere";
20 you know, what-don't-you-do kind of thing. And I thought
21 that was a good kind of issue to point out here. Just
22 based on the conversation that we had this afternoon, we
23 use conservation corps volunteers, the local CDs do, the
24 CDs are on local planning boards, they're part of the
25 Sun River and the Blackfoot Challenge and the Flathead

1 Basin Commission. The Missouri River CD Council is all
2 conservation districts. We're an advisory member on the
3 Undaunted Stewardship Program that you heard about from
4 Representative Peterson. So I guess my concluding point
5 is that we are kind of everywhere, and I hope that you
6 keep that in mind as you fund programs and set up policy
7 and that kind of thing.

8 I also want, just in conclusion, to say you've set up
9 a really good system, because I tried to get a lower
10 number during the break, and only these guys (indicating)
11 were interested in trading numbers. So there's no fraud
12 here, nobody would give up a lower number.

13 Thank you.

14 MR. MARSHALL: No. 79.

15 MR. WHITE: Good afternoon. My name is
16 Carey White. I'm down here from Bozeman; I live on a
17 ranch that's been in my family over a hundred years. I
18 appreciate the opportunity to speak today.

19 I believe that after reviewing the topics on the
20 agenda, the main focus of the panel today is to discuss
21 partnerships. I've been involved in many aspects out of
22 our public land over the years. I am currently and have
23 been a member of the Gallatin County Planning Board for
24 over six years. In addition, I am executive cochairman of
25 Citizens for Balanced Use, that pamphlet that I just

1 handed you. It's an organization based out of Bozeman
2 that represents over 60,000 supporters statewide. We
3 believe in active forest management, responsible resource
4 development, and multiple-use recreational access on
5 federally managed public lands.

6 Today I would like to discuss the ongoing partnership
7 that has been occurring over the last half century that
8 may be coming to an end. Sadly to say, the Forest Service
9 is in the process of attempting to lock a majority of the
10 public out of our public land through the process of
11 travel planning. Multiple-use roads and trails are facing
12 closures of between 40 to 60 percent all across the state.
13 The areas of these closures hold a special meaning to a
14 vast amount of people, and the social impact of these
15 closures will be devastating. Multiple-use organizations
16 have provided the Forest Service with thousands and
17 thousands of hours of labor in trail maintenance, only to
18 be pushed aside. Local residents have provided invaluable
19 information in management techniques and science, only to
20 be ignored by many of the current Forest Service
21 administrative personnel. Forest Service field personnel
22 with actual on-the-ground data and recommendations are not
23 being listened to. Citizens for Balanced Use has seen
24 this occur in virtually every forest in Region 1 that
25 travel planning process has begun.

1 The action by the Forest Service of ignoring true data
2 and science to promote an agenda of closures, hands-off,
3 let-it-burn management is unacceptable to the members of
4 Citizens for Balanced Use. Our forest is being reduced to
5 fire fuel, and the lack of timber sale receipts has placed
6 a huge burden on the rural school funding and the
7 taxpayers of Montana. The fires that Montana is
8 experiencing more and more every year are polluting our
9 air and streams, destroying our watersheds, wildlife,
10 wildlife habitat, and timber, a valuable renewable
11 resource.

12 On behalf of Citizens for Balanced Use, I am
13 submitting additional information to this committee.
14 Please review this information carefully. We feel it
15 shows a complete lack of cooperation between the
16 Forest Service and the people they serve. The listening
17 session today gives our supporters a glimmer of hope that
18 our voices will be heard. We can only imagine the
19 difficulty involved in bringing together all the different
20 government agencies for these listening sessions. I am
21 sure it was not an easy task, but it is cooperation like
22 this that will enable us to keep our recreational
23 activities available, our forests and watersheds healthy,
24 and our economics vibrant.

25 If this committee has any questions, please contact

1 any of the enclosed CBU board members I have included in
2 my enclosed packet. Thank you.

3 MR. MARSHALL: Thank you very much.

4 No. 80.

5 MR. ABELIN: I'm actually 81, but I could have
6 been 18 (indicating). How's that for honesty?

7 MR. MARSHALL: Let's give him a hand for his
8 honesty.

9 MR. ABELIN: My name is Doug Abelin, A-B-E-L-I-N,
10 originally from Bozeman, live here. I currently work for
11 the BLM in Butte. Today is a day off.

12 I have spent the last 20-some years representing
13 motorized recreation in all facets. I've been involved in
14 our state and federal grants and trails programs, have sat
15 on both committees, am now finally terming out of the last
16 one. I'm the only person in the state that has sat on
17 both. I've reviewed literally thousands of grant
18 requests. I know Christopher Douwes, as well, in D.C.,
19 who hands out the federal money. I sit on the National
20 Off-Highway Vehicle Council. I'm a member of our state
21 off-road organizations. I finally gave up and became a
22 federal employee.

23 I think we're on the right track in the statement that
24 let's do what we used to do. People hired in the federal
25 agencies are, in fact, professionals. Let them do their

1 job and mitigate the situations that come up in between
2 that work. They spend so much time and so much effort
3 trying to accomplish their job and can't do it because of
4 the way we address public review. Let's put it back to
5 the professionals with our help and support.

6 Thank you.

7 MR. MARSHALL: Thank you.

8 No. 82.

9 MR. BRAGG: My name is Stacy Bragg. I'm with
10 Citizens for Balanced Use. I hope I don't sound redundant
11 on some of my comments.

12 MR. MARSHALL: Could you spell your name for us,
13 please?

14 MR. BRAGG: S-T-A-C-Y, B-R-A-G-G.

15 MR. MARSHALL: Thank you.

16 MR. BRAGG: I'm a sixth-generation Montanan. I'm
17 out of the Livingston area, Paradise Valley. We
18 homesteaded there in 1864. Our ranch has been used for
19 grazing, farming, hunting, motorized, nonmotorized
20 recreation. And when you see pictures of Paradise Valley,
21 our ranch is usually in the background.

22 A lot of groups, you know, people that use multiple
23 use are the -- target them out, say they're bad. Well, we
24 get comments of how good our place works. I think that's
25 a small-scale thing. I think it could be applied on a

1 large scale as to all of our public lands. I'd encourage
2 this administration to retain our current multiple-use
3 status in our public lands, with the exception of the
4 existing wilderness and wildlife management areas, with
5 improved public education, nonmotorized and motorized
6 recreationists, to help manage our natural resources
7 better.

8 I think we need sensible timber management instead of
9 a let-it-burn policy, you know. Timber management, you
10 know, puts money in our schools and our infrastructure.
11 Public land grazing in many places has been proven to
12 improve wildlife areas; rotational management, you know,
13 gets rid of the old dead grasses, allows better grasses to
14 come up.

15 We want to promote access for hunting. I think that
16 also, people that are here need more local input instead
17 of 2,000 miles away, because we're the ones that are
18 stewards here. We're the ones that are in it all the
19 time. Out of 52 weeks, I'm in the public land 40 weeks
20 out of the year doing something.

21 I believe our Endangered Species Act was good when it
22 got started, but has become extinct, and I think it needs
23 to be modernized to bring it to the 21st century.

24 So that's my comments. I thank you very much for your
25 time.

1 MR. MARSHALL: Thank you.

2 No. 83.

3 MR. KRAFT: I'm Jim Kraft, K-R-A-F-T, with
4 Plum Creek Timber Company. We are the largest landowner
5 in the United States of timber and land, with over
6 8 million acres in 20 states. We have over a million
7 acres here in Montana. And today I'd like to basically
8 make two basic points: One, provide incentives, and two,
9 eliminate the disincentives.

10 Probably the biggest disincentive out there right now
11 is how the agencies are designating critical habitat. We
12 find that overly broad designations that aren't
13 scientifically based are causing problems. I urge you to
14 direct the agencies to go back to the original meaning of
15 critical habitat that would have it be that land which is
16 truly essential and also that land which doesn't need
17 special management. If cooperative management is already
18 going on on the private land such that the elements of
19 critical habitat are being provided, then it shouldn't be
20 part of proposed rules.

21 There are a number of other disincentives in the way
22 the Endangered Species Act is administered. Just real
23 quickly, just to mention them, we urge going back to more
24 flexibility, have multi-species HCPs. One of the things
25 that we've done at Plum Creek, we have over a third of our

1 land covered by HCPs. Here in the state of Montana, all
2 of our land is covered. But we found that when we went to
3 add unlisted species to our plans, that we would be
4 required, if for whatever reason at some point we
5 terminate those plans, that we'd have to mitigate for the
6 unlisted species. And that provides a huge disincentive
7 for any landowner to protect unlisted species.

8 Another huge disincentive is the National Historic
9 Preservation Act. We found that when we went to get our
10 permits, that because it was a federal agency issuing a
11 permit, that our private activities were now being
12 federalized and we were required to comply with the
13 National Historic Preservation Act, which, by its intent,
14 was only meant to affect federal actions. The result was
15 that we had to drop land out of our HCP that otherwise
16 would have gotten protection.

17 And then there are a number of incentives out there.
18 You've heard it already, but I'll just mention the Land
19 and Water Conservation Fund, Section 6 funding.
20 Plum Creek is probably the most active company in the
21 country doing conservation easements, conservation land
22 sales, and I urge funding for those programs.

23 Thank you.

24 MR. MARSHALL: Thank you.

25 No. 84.

1 MS. ZARNT: Hello, my name is Debbie Zarnt,
2 Z-A-R-N-T, and I'm with the Montana Watercourse. We're
3 based at the Water Center at Montana State University, and
4 we're a statewide water education program, and we've been
5 around since about 1989. I would like to thank you for
6 being here today and listening to all of us. I really do
7 appreciate it.

8 I think that education, specifically watershed
9 education, is a great foundation for cooperative
10 conservation. And we partner with different agencies,
11 state, local, federal, and other nonprofit groups for
12 doing different watershed education and training. And I
13 think this is so important as these watershed issues are
14 incredibly complex and they do require a lot of education
15 and training.

16 As far as federal programs for watershed education and
17 training, we've been noticing that there's a push for
18 measurable results, and sometimes this can be difficult
19 for smaller groups to accomplish. So if this is going to
20 be included in federal grants, it would be helpful to have
21 some guidelines to prove measurable results.

22 That's all I have to say. Thank you.

23 MR. MARSHALL: Thank you.

24 No. 85. Thanks for your patience.

25 MS. HOHMANN: I'm Kathryn Hohmann. I'm a staff

1 director for the Sierra Club here in Montana, and I'm
2 waiting in line thinking everything has been said. Then I
3 thought, no, we're going to wait here until everyone has
4 said everything. So if you're with me, I'll try to make
5 it brief. I feel like a lot of things have been said. I
6 want to underscore a few comments from some folks.

7 I wanted to also point out that the Sierra Club has
8 been cooperative in its conservation since way back when.
9 We struggled very hard to get authorized programs such as
10 EQIP and CRP, things like the North American Water Fowl
11 Management Plan. I'm a former federal agency -- Fish and
12 Wildlife Service -- person myself, so I understand that
13 the struggles are inherent in having partnerships between
14 public and private and nonprofit organizations, but I
15 think it can be done.

16 I wanted to give a few quick examples of just one
17 program at the Sierra Club, our grizzly bear program,
18 where we are pitching in and linking arms with some really
19 different kinds of partners in making things work. We've
20 gotten pepper spray into the hands of many hunters across
21 the state so that they would use pepper spray rather than
22 firearms when they're in the back country, and reaching
23 out and helping hunters really understand the risks of
24 traveling in bear country and educating people, as well as
25 tourists, about the necessity of a clean camp. We're

1 working closely with BFI, a waste hauler in Big Sky, to
2 make sure that garbage and sanitation is done in Big Sky,
3 Montana, in a way that protects the federal grizzly bear
4 and also people traveling in the back country. So there
5 are ways to really collaborate and link and be positive.

6 But as I stand here and think about the
7 Bush Administration's cooperative conservation program, I
8 can't help feeling a little bit like the chicken being
9 asked to evaluate the new recipe from Colonel Sanders.

10 Folks, this administration has brought a law called
11 Clear Skies Initiative, which is going to lead more
12 pollution, a law called Healthy Forests, which is going to
13 increase logging in the back country. The sort of
14 Orwellian phrases that you folks in the
15 Bush Administration are capable of coming up with and
16 shopping around parts of the country where there are
17 endangered incumbents, call it a coincidence, just leaves
18 folks in the Sierra Club and other conservation
19 organizations really wondering what's next.

20 I wanted to point out that the success of these kinds
21 of efforts really depends on having a secure federal
22 safety net of environmental laws, building trust between
23 partners, and making sure that from a base of trust and
24 cooperation, also incentives and full funding for
25 programs, we can reach out and continue to really be

1 partners.

2 Thank you so much.

3 MR. MARSHALL: Thank you.

4 No. 86.

5 MR. OLSON: 87, actually.

6 MR. MARSHALL: 86.

7 87. You're up next.

8 Mr. OLSON: My name Darryl Olson. I'm

9 representing myself, but I sit on the board of directors

10 of the Montana Wildlife Federation. And I also am on the

11 BLM Resource Advisory Council for the member from eastern

12 Montana.

13 I guess why I'm here is to kind of bring it back to

14 conservation. The main conservation model we have in our

15 lifetime is the hunting-angling conservation model. In

16 the 1800s, industry decimated our wildlife habitat and our

17 wildlife populations. It was the hunting and conservation

18 community who brought them back. And still, to this day,

19 it's the hunting and conservation community that puts more

20 money into wildlife restoration, wildlife habitat

21 enhancement, and us as hunting organizations need to have

22 a seat at the table. Often, we're overlooked, we're

23 lumped into different groups. But we created the model.

24 The ESA was formatted on the model of bringing back the

25 wildlife. ESA works. The hunting community is very

1 supportive of ESA. Look at how much elk habitat has been
2 preserved because of the ESA. It has many unintended
3 consequences.

4 I was asked to go back to Washington, D.C. I was one
5 of four hunters from across the U.S. to speak to the
6 senate subcommittee this year exactly on this issue, what
7 does the hunting and angling community think of the ESA.
8 And overwhelming support. If you go to these hunting
9 groups, you're going to see, hey, we need it, it has a
10 place. Can it be tweaked? Maybe in a few places. But
11 it's an incentive. You look at the sage grouse in Montana
12 threatened with listing. What do the hunting groups do?
13 They pull together and get the adopt-a-lek program going.
14 Now all of a sudden, we have stable populations again,
15 they're not going to list it. This has a good place.

16 Another thing that I want to make sure the
17 administration knows, hunting is the most effective
18 management tool for wildlife in the United States. It
19 needs to be kept within the planning process as the most
20 effective way to manage wildlife.

21 NEPA, let's talk about that. That is critical. If we
22 don't have NEPA, we don't have public input. This is our,
23 as citizens, only way that we can have input into
24 government decisions. We have to have it. Can it be
25 tweaked? Maybe in some ways, maybe not. But it's the

1 public's way of having input.

2 Good things have happened with federal agencies that
3 we want to see continue. Our land swap, land exchanges
4 where we can consolidate public lands and get access to
5 public lands. Access is one of the number-one issues we
6 face. We're losing access in the state of Montana over
7 and over. And we have the Senate trying to pass -- or
8 there's a current bill in Congress where they're trying to
9 give a landowner by Big Timber exclusive access. They're
10 giving him an easement and they're not giving the public
11 equal access. We're saying no. No exclusive access by
12 commercial interests on our public lands.

13 And just quickly because I'm closing, let's talk about
14 the ATVs. I've heard a lot of numbers given out. A lot
15 of the ATV members are saying they're closing all these
16 roads. Well, these are illegally opened roads. These are
17 roads that have been caused in the past few years. We had
18 a unanimous resolution this year by the Montana Wildlife
19 Federation Board, the largest, oldest hunter group in
20 Montana; we requested FWP regulate ATV use, and we'd like
21 to see the land management agencies continue that.

22 Thank you.

23 MR. MARSHALL: Thank you.

24 You must be No. 88.

25 MR. WHITNEY: 89.

1 MR. MARSHALL: Okay. Anyone after 89?

2 Let's give 89 a hand.

3 MR. WHITNEY: My name is Lowell Whitney,
4 W-H-I-T-N-E-Y. Thank you for listening this afternoon and
5 persevering on our ideas on cooperative conservation.

6 I'm with the Forestry Division of the Montana
7 Department of Natural Resources and Conservation. We
8 administer a number of programs that are focused on
9 ensuring sustainability in Montana's forests, rural lands,
10 communities through cooperative wildland fire protection,
11 sound forest management practices, and by promoting a
12 viable forest-based economy.

13 I want to briefly highlight several key USDA, state,
14 and private forestry programs for Montana that involve
15 cooperative conservation. The Forest Legacy Program is an
16 important tool to help protect forests in Montana. In
17 Montana, 154,000 acres have been protected with over
18 \$20 million in legacy funds and \$22 million in matching
19 funds. Funding for this program is down significantly
20 this year, and increased support for this program is
21 necessary to continue to conserve private forest lands in
22 Montana.

23 Protection from uncharacteristically large and intense
24 wildfires is a high priority in Montana and is important
25 for conserving natural resources, wildlife habitat, forest

1 lands, agricultural lands, not to mention personal
2 property and local economies. The rural and volunteer
3 fire assistance programs through USDA are central to our
4 abilities to prevent and suppress wildfires in this state.
5 Last year, Montana received over \$1 million for these
6 programs in order to increase fire protection capabilities
7 of rural and volunteer fire departments through training,
8 equipment purchases, and fire prevention work on a
9 cost-share basis.

10 The Urban and Community Forestry Program is a
11 comprehensive approach towards stewardship for urban
12 forests and forest resources. Last year, Montana received
13 \$216,000 for this program, and we've seen a 25 percent
14 decline in funding for this program. We have over
15 82 communities statewide benefiting from our efforts with
16 this program, and we are greatly concerned about our
17 continued ability to deliver this program given the
18 declining budgets.

19 Finally, forest management projects on private forest
20 lands are critical for improving forest health, enhancing
21 wildlife habitat, and reducing fire hazard potential. The
22 Forest Stewardship Program focuses on assisting family
23 forest landowners learning about the forest resources and
24 developing and implementing forest management plans for
25 their properties that result in responsible management.

1 Since 1991, 2,550 landowners have attended 109 planning
2 workshops, prepared 1200 certified management plans for
3 over 485,000 certified acres of forest land in Montana.
4 This and the other mentioned programs are important in
5 Montana and need increased support from the
6 administration.

7 Thank you.

8 MR. MARSHALL: Thank you.

9 Mr. Carlson, Mr. Roberts, thank you very much for your
10 time. Thank you to all of you who sat through three hours
11 of comments. There have been some tremendous ideas
12 exchanged here, things that will be carried back to
13 Washington to the White House.

14 Any additional comments you would like to make?

15 MR. CARLSON: Jon, I think we need to give you a
16 hand for standing up all this time. Thank you. You're
17 the most resilient of all of us.

18 I just think there's a lot that we've learned, and
19 we've listened well. And I know Rob has taken a lot of
20 notes. I've taken about ten pages of scribbles. Your
21 voices have been heard, and don't be surprised if your
22 comments show up now -- as we those address those five
23 focus points that you saw as you came and prepared, don't
24 be surprised if you see your comments now get into those
25 five points as they're assimilated in summaries.

1 I just think we've heard -- you know, there's five
2 agencies involved. You've said you want more cooperation,
3 you want more partnership. But I thought very keen the
4 trust that you talked about, Joe, and others talked about,
5 the trust that we've got to maintain in the landowners and
6 you folks back here. I want to recognize the existing
7 work that you're doing, the leadership you're doing, and
8 all the good work that you've got going. And I know
9 Denise and Mindy, we've heard a lot of good ideas of what
10 we can do at NRCS here in leveraging funds and incentives
11 and matching and all those kinds of things. So it's
12 helped us a great deal.

13 So thank you very much, Jon.

14 MR. MARSHALL: Thank you.

15 MR. ROBERTS: I'll just make about three quick
16 comments. First of all, I want to apologize to the
17 audience in that as this was being put together sort of at
18 the last minute -- We only had a couple of weeks' preview
19 of this event today, so there was a lot of scrambling
20 around, as you can imagine. And I thought to myself,
21 we're going to get up there and six people will show up
22 and it will take about 15 minutes. I apologize. By my
23 count, you had 89 cardholders and 45 speakers, and I think
24 that's just tremendous and illustrates the great interest
25 that there is in these kinds of things. That's my first

1 comment. I underestimated the good citizens of Helena,
2 Montana, and I apologize for doing so.

3 Secondly, one of the themes that runs through
4 everything is that funding is insufficient. Well, I wish
5 I had good news to bring you about funding, but I don't.
6 And I'm not the budget spokesman, and I don't want to talk
7 a lot about budget, but I think our efforts are going to
8 have to be in areas other than expanding funding to be
9 successful.

10 And the third comment, let me address very quickly
11 that NEPA needs upgrading. I suspect that that's true,
12 that it does need to be updated and upgraded. I would
13 only say to you, however, if you are doing a federally
14 related project and you have to do an environmental impact
15 statement, do the very best one you can, because when you
16 get sued -- not if you get sued, but when you get sued --
17 the EIS is the only shield you have to say, we thought of
18 that already and here's what we're going to do about it;
19 so that you have at least a partial protection, a partial
20 place to stand to argue your position from. So I would
21 encourage you, if you're involved in any of those, not
22 only because they should be done right, not only because
23 it's the right thing to do, it's the most practical thing
24 to do. We're working that hard in my region. We're
25 trying to make our comments worthwhile. We're trying to

1 get them turned around as quickly as we can. And we're
2 actually working to try to meet the deadlines. We're
3 making some progress on that. And I share your concern
4 about that program. We're trying to make it stronger.

5 And finally, all of you that said something nasty
6 about the Bush Administration, y'all are just wrong.

7 Thank you very much.

8 MR. MARSHALL: That concludes this listening
9 session. Please keep in mind that the listening sessions
10 are not complete and we will continue to accept comment in
11 writing and in other sessions throughout the country.

12 Thank you for coming.

13 (The proceedings were concluded at 4:00 p.m.)

14 * * * * *

15

16

17

18

19

20

21

22

23

24

25

COURT REPORTER'S CERTIFICATE

STATE OF MONTANA)
 ss.
COUNTY OF LEWIS AND CLARK)

I, CHERYL ROMSA, Court Reporter, Notary Public in
and for the County of Lewis and Clark, State of Montana,
do hereby certify:

That the foregoing proceedings were reported by
me in shorthand and later transcribed into typewriting;
and that the -122- pages contain a true record of the
proceedings to the best of my ability.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed my notarial seal this 30th day of August 2006.

CHERYL A. ROMSA
Court Reporter - Notary Public
My Commission Expires 8/4/2007